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PROBLEMS OF PEACE

SECOND SERIES

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PROBLEMS OF PEACE

SECOND SERIES

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THE GENEVA INSTITUTE OF
INTERNATIONAL RELATIONS

August 1927

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INTRODUCTION

THIS volume contains the addresses delivered at the meeting of the Geneva Institute of International Relations held in August 1927. It continues the publication of the proceedings of the Institute begun with the volume entitled *The Problems of Peace* which contained the lectures delivered in August 1926.

The arrangement here adopted is similar to that in the previous volume. The spoken form of the lectures has been retained, but they have been grouped rather more logically than in the sequence of their actual delivery, which was naturally determined by the convenience of the different speakers. A brief summary of the discussions which followed certain of the lectures is given in the appendix. The necessity of keeping the present volume of approximately the same size as its predecessor has made it impossible to give as much space to these discussions as might have been desired. If some have been omitted entirely it is not because they were lacking in interest or importance but only because limitations of space have imposed an arbitrary choice.

For the same reason it has been necessary to omit the introductory speeches of the Chairman who presided over the different meetings—speeches which were always admirable introductions to the subject to be considered, and often witty

as well as wise. But the Institute wishes to take this opportunity of offering its sincere thanks to the Deputy Secretary-General of the League, Herr Dufour Feronce, who opened the Session, and to Professor Manley O. Hudson, Mr. Arnold Rowntree, Mr. Kingsley Martin, Dr. Sherwood Eddy, The Hon. Theodore Marburg, Professor McNair, Professor Mowat, Miss Woodsmall, Dr. Maxwell Garnett, Mr. E. G. Brackett and Sir Herbert Ames. Those who were present at the meetings, in reading the addresses to which they listened, will inevitably recall the presiding officer who so skilfully created that bond between speaker and audience which facilitates the task of the one and enhances the enjoyment of the other.

For those who are unfamiliar with the Institute it may be recalled that it had its origin in the effort to co-ordinate certain British and American summer schools whose main preoccupation was to get a first-hand acquaintance with the work of the League and the tasks of its officials in order to be able to spread an authoritative knowledge of the League's activities in their respective countries. As the League has become better and more widely known the purpose of the Institute has developed with the object of permitting an exchange of opinions on international problems on a wider basis. In the earlier meetings members came to get the Geneva view-point from the officials concerned in the day-to-day work of the League, and the programme mainly

consisted of lectures by League and Labour Office officials describing their functions. The titles of the lectures printed in this and the preceding volume will show how much this programme has been broadened. The League falls into its place in the larger world framework of international problems as the new machinery through which an increasing number of those problems are treated. With the introduction of 'outside' speakers of recognized authority in their different fields problems are presented in different perspectives, and elementary exposition has tended steadily to be replaced by inspiring comment and constructive criticism. It is hardly necessary to add that comments made or criticisms expressed do not in any way represent a collective view of the Institute: its sole function is to secure the opportunity for their exchange.

It is too much to expect a new international administration both to hammer out the day-to-day solutions of its pressing practical problems and to think out the generalized philosophy which lies behind the integration of its efforts. The success of the League is due in great part to the astonishing quality of the responsible members of its staff, who have in fact been able to perform this double task in a surprising degree. But as the activities of the League multiply and increase in complexity specialization will become more and more inevitable. The Institute is tending to become an instrument which provides for contact between the doers and

the thinkers. The first fruits of its work will, it may be hoped, constitute a contribution, necessarily fragmentary and incomplete, to the intellectual background of the new international system, of sufficient value to interest a wider public than that which was able actually to be present at its meetings.

THE EDITOR.

Particulars of the Meeting of the Geneva Institute of International Relations for 1928 can be obtained from—

The Secretary, League of Nations Union, 15 Grosvenor Cresent, London, S.W. 1.

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SECTION I

THE EVOLUTION OF THE LEAGUE OF NATIONS

CHAPTER I

THE EVOLUTION OF THE LEAGUE OF NATIONS

Professor W. E. Rappard:

ALL living organisms, no matter how minute or insignificant, when examined through the microscope, appear enormous, intricate, and extraordinarily active. Similarly the world at large, when considered through the microscope of contemporary analysis, has no doubt, at all historical periods, struck its immediate witnesses as being infinitely complex and eventful. Is it then a mere delusion if the flow of recent and current happenings impresses us as being exceptionally uneven and rapid in its course, as resembling indeed a swollen alpine torrent at the melting of the snow in the spring?

I believe not. I believe that, even viewed in the perspective of centuries, the last ten years will be characterized by the future historian as an epoch of extraordinarily numerous and radical changes.

To consider the world in its political aspects only, what previous decade has witnessed as many momentous events as the last? The final, decisive struggle and the end of the greatest war that had ever taken place. In Europe alone, the crumbling of four of the most powerful monarchies. The setting up or resurrection of seven or eight new or reborn

sovereign entities. The spread of the republican principle from three to fifteen States. The establishment of a professedly communistic régime over a population of more than a hundred million human beings at one end of the continent and the setting up of several more or less absolute dictatorships at the other. Finally, and leaving aside many minor events which, in less extraordinary times would have loomed uncommonly large on the political horizon, such as State bankruptcies and revolutions, the foundation of the first effective, free, co-operative, and resolutely pacific League of Nations the world has ever seen.

No wonder then that in this tempestuously changing world the League of Nations should itself have undergone such modifications in its structure and its functions that, less than eight years after its legal birth, one should already think of speaking of its evolution. The fact of its evolution is in itself both encouraging and disquieting for the friends of peace.

It is encouraging as a proof of reality and vitality. In the rough political weather of the last ten years, only those ships have invariably kept on an even keel which have remained in port. The League has been battered about because it has sailed boldly out into the open sea. Even if it has not always succeeded in mastering the waves, even if it has sometimes been prevented from completing its trip and from delivering its cargo, it has at least proved tolerably sea-worthy. That is an achievement which none could have foretold with certainty ten years ago.

On the other hand the rhythm of growth and change in the League may also inspire some misgivings. It must at any rate call for very great vigilance. If stability is not an ideal, excessive instability is neither a sign of health nor a condition

of success. To live fast is not necessarily to live long and a tempestuous youth does not always guarantee a fruitful manhood nor a happy old age.

Let us therefore consider the evolution of the League with an open mind, both hopeful and critical, seeking only to discover the truth and thereby avoiding the double danger of unjustified optimism and of undue despondency.

The League of Nations began to evolve even before it was truly born. This first evolution we studied last year, when considering the League as an historical fact.[1] We then noted that none of the conceptions of its principal founders had been completely realized either in the Covenant, to the drafting of which they had contributed, or still less in the League, as it had grown out of the Covenant in the first six years of its existence.

The League, as it is to-day, is neither exactly the Wilsonian League to guarantee a just peace, nor the League of Léon Bourgeois to maintain a secure peace against, and at the expense of, the vanquished, nor the League to which General Smuts proposed to assign the duty of administering large parts of Europe nor even, although more nearly, the Cecilian League to prevent the sudden outbreak of war. We noted last year that it was exactly none of these things, that it was really both something less and something more. It was, we found, not so much a League to enforce peace as an international organization to promote voluntary co-operation, public discussion, and pacific negotiations among its members.

To-day we would examine somewhat more closely the recent development of this organization. We propose to

[1] See my paper published under this title in *The Problems of Peace*, London, 1927, pp. 18–49.

examine the changes it has undergone, first in its structure and then in some of its principal functions.

I. *The Members of the League.*

Of the structure of the League by far the most fundamental feature is, of course, its membership. One may differ, and publicists have differed, as to which is the most important organ of the League, the Council, the Assembly, the Secretariat, the Court, or the International Labour Organization. All must agree however that the most vital organs of the League of Nations are, as its name indicates but as is so often forgotten, the nations which compose the League.

Therefore by far the most significant changes which have taken place in the structure of the League are the fourteen admissions and the three resignations which have occurred since its foundation.

When the Covenant was adopted by the Peace Conference of Paris on 28 April 1919, its Annex provided that forty-five States might belong to the League as original members.

Of these, thirty-two, the victorious belligerents, were to join as signatories of the Treaty of Versailles and thirteen, former neutrals, were 'invited to accede to the Covenant'. Of the thirty-two victors, twenty-eight effectually joined by ratifying the Treaty of Versailles; one, China, who refused to take this step, by ratifying the Treaty of Saint-Germain; while three, the United States of America, Ecuador, and Hedjaz remained aloof. All of the thirteen neutrals invited to accede to the Covenant promptly did so.[1]

As a result, the League had forty-two original members when the first Assembly met in Geneva on November 1920.

[1] See Manley O. Hudson, 'Membership in the League of Nations', *American Journal of International Law*, vol. xviii, number 3, July 1924.

Six further States were admitted in 1920, three in 1921, one in 1922, two in 1923, one in 1924, and one in 1926. The total membership of the League to-day would therefore be fifty-six, if Costa Rica, by seceding at the end of last year, had not reduced it to fifty-five.

It might be interesting to analyse these figures from many points of view, as the evolution of the League is naturally bound to be influenced in its course by the composition of its membership. In the limited space at my disposal, I shall make only two observations.

The first relates to the growing importance of Europe in the League. In 1920, sixteen out of a total of forty-two original members were European States, that is 38·1 per cent. To-day twenty-seven out of a total of fifty-five members are European, that is 49·1 per cent.

The other point to which I wish to call attention is the change resulting from the gradual entrance into the League of the States defeated in the great war. The Covenant was drafted by the victors in 1919 and it would have been surprising if it had not been drafted primarily in their interest. All the permanent and all but one of the non-permanent seats on the Council were to be occupied by themselves. Already in 1920 two of the defeated Powers, Austria and Bulgaria, had been admitted into the League. In 1922, Hungary followed and Sweden, a second former neutral, was elected to the enlarged Council. Finally, in 1926, Germany was admitted into the League and given a permanent seat on the Council. Furthermore, four former neutrals, Netherlands, Chile, Colombia, and Salvador were elected as non-permanent members in the place of the two, Spain and Sweden who, up to last year, had alone represented that part of mankind which was not associated with the military

triumphs of 1918. Thus, in the short space of seven years, the League of victors became a League of Nations.

The rapid and steady growth in the total membership of the League is, of course, most gratifying, both as a symptom and as a cause of increasing strength and influence. The satisfaction which all friends of peace must feel on this score is unfortunately tempered by two considerations of very unequal importance.

The first relates to the resignation in 1926 of two States which had, since the beginning, been represented on the Council. It is assuredly most regrettable that Spain and Brazil should have been led to sever their connexions with the League and it is much to be hoped, and I think we can add, confidently to be expected, that sooner or later they may find their way back to the Geneva fold.

Much more serious, in my view, is the prolonged aloofness of the United States of America and also, although in a lesser degree, of Russia, Turkey, Mexico, and of the smaller States which have not yet joined. The significance and the consequences of the absence of America from the councils of the League are continuously and passionately being discussed from divers points of view. Whereas during the first years of the League's existence, its whole policy seemed to be shaped by the desire to allure the United States to Geneva, to-day a reaction has undoubtedly set in. Furthermore public opinion, even abroad, seems to be changing as regards this question. One of the League's strongest supporters in America [1] has lately gone so far as to give it as his opinion that, on the whole, her absence may very well prove to have been a blessing in disguise. In view of its obvious importance

[1] See David Hunter Miller, *Wilson's Place in History*, an Address delivered at Albany, New York, p. 15.

for the evolution of the League, I may be permitted to consider this question for a brief moment quite dispassionately.

The absence of the United States I regard as a calamity, the tragedy of which can hardly be overestimated. As long as the great American republic declines to assume any responsibility for the maintenance of peace through the instrumentality of the League, the League, in my opinion, will lack the authority necessary for assuring the maintenance of peace.

The United States is, in many respects, the actually or potentially most powerful nation of the world. It is beyond doubt, the most powerful of those nations who have no specifically national interests nor bias in the disputes of Europe, that hot-bed of war. It is primarily to America's absence that I attribute the relative lack of fairness and effectiveness which the League has shown in dealing with such tasks as the government of the Sarre and the protection of minorities, or with such conflicts as those of Upper Silesia, Vilna, or Corfu. The absence of the United States has weakened the League, not only immediately, by depriving it of the support of what might be one of its most influential members. It has weakened it also, and perhaps still more, indirectly. It has done so by undermining the loyalty of various members towards the League, by preventing them, for lack of faith in its effectiveness or for fear of compromising their relations with America, from supporting it wholeheartedly and by allowing them in certain cases to flout its authority or to vitiate its decisions by more or less veiled threats of resignation.

Without America, the League remains an association of nations which one may join or leave at discretion, whose

corporate solidarity is feeble, and whose uncertain collective will may be disregarded with impunity, at least by any of its principal members. With America as a full-fledged member of the League, on the contrary, the League would necessarily soon become universal. It would then be possible to envisage seriously the definite organization of peace on the basis of impartial justice and of real international security, without which war remains a constant threat and disarmament therefore little more than an extremely interesting, but rather delusive subject of conversation and debate.

In stating this opinion, which I fully realize is not shared by most European friends of the League, I do not overlook the great political difficulties which might arise from the co-operation of a State whose population is still far from being nationally homogenous, nor the great technical difficulties which would be bound to arise from the co-operation of a State, one branch of whose legislature seems to find peculiar satisfaction in asserting its own importance by opposing the foreign policy of the Government. Nor do I suggest that all business in Geneva should be adjourned until the United States accedes to the Covenant and the programme of the League defined mainly with a view to making it acceptable to Washington, as was perhaps too sedulously done during the first years after 1919. That policy would seem mistaken, less in its aim than because the means adopted for attaining it are perhaps not the best fitted for that purpose. To suggest humbly and imploringly that the League cannot do without America, would seem as contrary to the dignity of Europe as to the purpose of attracting the United States. On the other hand it would seem no less unwise to proclaim haughtily and with obvious insincerity that the League can very well forego American co-operation.

What then would appear to be the proper attitude? To do one's best without the United States, in the hope that the allurement of even limited success, combined with a consciousness of the terrible historical responsibility incurred by preventing that success from being complete, will sooner or later induce the nation to which the world owes the existence of the League to assume its natural place at Geneva.

II. *The Council.*

After the growth in membership, the second point to be noted in the evolution of the organization of the League is the gradual transformation undergone by the Council.

In Lord Robert Cecil's original draft of 20 January 1919 only the five principal allied and associated Powers were to be represented on the Council. Thanks to the combined efforts [1] of General Smuts, President Wilson, and the representatives of the smaller Powers in Paris, it was decided, first that two and then that four of the latter, chosen by all the members of the League, should be represented. According to the first edition of the Covenant of 14 February 1919 the Council was thus to consist of five permanent and four non-permanent members. In the final draft this provision remained unaltered but, perhaps at the instigation of the neutrals, a clause was added for the further enlargement of the Council.[2]

At its first meeting in Paris, on 16 January 1920, eight

[1] Ray Stannard Baker, *Woodrow Wilson and World Settlement*, London, 1923, col. i, p. 226; Philip Baker, 'The Making of the Covenant from the British point of view' in *Les Origines de l'œuvre de la Société des Nations*, Copenhagen, 1924, vol. ii, p. 32.

[2] Schücking and Wehberg, *Die Satzung des Völkerbundes*, 2. Auflage, Berlin, 1924, p. 297.

members sat at the table of the Council. Four represented the principal allied Powers—the associated Power having refused to continue to associate with its former associates—and four the so-called smaller nations. In 1922, it was felt that certain important groups of States should no longer be without representation on the Council, as it was feared that non-re-election of the existing members without the previous adoption of a regular code of procedure providing for a system of rotation in office might give rise to an acute crisis and possibly to resignations, and as the adoption of such a code was resolutely opposed by various states, notably by Spain, the Council and the Assembly agreed to increase the number of non-permanent members from four to six. Finally, in 1926, a still further and much more sweeping change was made. Germany, whose admission had been refused at Versailles in 1919 and more and more generally hoped for at Geneva ever since, insisted on a permanent seat as one of the conditions of entrance. This alone made a change imperative. Besides, at least three States, Spain, Brazil, and Poland, had demanded a similar privilege, and one of them, Brazil, in March 1926, went so far as to oppose Germany's request unless her own was considered. The refusal of Germany and of several other States to agree to these demands gave rise to the well-known crisis of March 1926 which led to the appointment of a Commission of Fifteen to consider the reconstruction of the Council.

The recommendations of this Commission were adopted with some slight amendments by the Council and the Assembly in September 1926. As a consequence, the Council was enlarged by one permanent member and three non-permanent members.

Its structure was further altered by the adoption of the

principle of the non-immediate re-eligibility of at least six of the nine non-permanent members.

My object in briefly recalling here these familiar facts is but to show the general trend of the evolution of the Council and to seek to assess its significance. This evolution resulted, first in the increase of the total membership of the Council from eight in 1920 to ten in 1922 and finally to fourteen in 1926, and second in the numerical preponderance of the elected over the permanent members. The latter who, according to the original Covenant were to enjoy a majority of one are, to-day, in a minority of four.

What is the significance and what are the probable consequences of these changes in the structure of the Council?

It should be noted first of all, that they were brought about not as the corollary of a new theory in international affairs, nor because they were deemed inherently excellent by their authors. They are clearly the result of the pressure of political circumstances. They sprang from the desire to placate candidates, or rather from the fear of disappointing them too grievously. The fact that the Council was enlarged by the will of the great majority of the members of the League is no more a proof of the real superiority of a large over a small Council, nor even of their preference in this respect, than the absorption of castor oil by one afflicted with indigestion is the recognition of his partiality for that beverage. As a preventive against a particular ailment, the enlargement of the Council seemed necessary, although the resignations of Spain and Brazil, which it was intended to forestall, must lead us to question even its prophylactic qualities.

As a measure of general reform however, it should be judged solely on its inherent merits and quite irrespectively of the circumstances which led to its adoption.

Now prima facie there is undoubtedly something to be said in favour of enlarging the Council of a growing League with increasing responsibilities. Is it not conceivable that the Council owes its increased prestige to its being more numerous and more representative in membership in 1927 than in 1920 and is the enhanced prestige of the Council not a gain for the League as a whole?

That the prestige of the Council is to-day greater than it was at the birth of the League is a fact as indisputable as it is gratifying; but that the growth of its moral authority should be due to the concomitant growth of its membership is, at best, a presumption. It is not difficult to discover other reasons for this progress, which was as noticeable from 1923 to 1926, as it has been since the inclusion of four new members, the accession of one of which, Germany, of course represents much more than a mere quantitative increase. What, then, are the arguments which may be adduced against the innovation?

There is one which, although perhaps more frequently urged than any other, has not, in my humble opinion, much more than a formal significance. It has been stated, notably in the British Parliament, that, as the Council can act only when unanimous, the more numerous its members, the less the chances for unanimity and the greater therefore the danger of deadlock. As a matter of fact, in the present state of the League and of international society generally, decisions of vital importance for all States can be carried out only with the concurrence of all, whether they be represented on the Council or not. On the other hand, experience seems to have shown that decisions of minor importance can always be reached and carried out when the great Powers on the Council are in agreement and can never be in the face of the

decided veto of any one of them. To be sure, a small nation can, in exceptional cases, and if represented by men of exceptional courage and ability, hold out against the great, but only if, in addition, it be assured of the open support of public opinion the world over and perhaps also of the covert support of at least one great Power on the Council. Under the circumstances, therefore, the danger of deadlock in the Council does not seem to me to be a probable consequence of the enlargement of its membership.

There are, however, other objections to the enlargement of the Council which would seem to carry far greater weight.

In the first place, I submit that the best policy is that which conforms most closely to political realities. That is the main reason why among many of the best friends of the League, especially in the smaller nations, a Council of fourteen members, a Council on which Salvador and Columbia have technically the same influence and the same rights as Great Britain and France, is looked upon with real misgivings. If the Council is to enjoy the greatest confidence, it must be a body in which real power is, to some extent at least, commensurate with real responsibility and in which all members speak with full knowledge and act with such a measure of freedom as is compatible with their position as representatives of sovereign countries.

Now can it be expected that a Council of fourteen most unequal members be such a Council? Is it not obvious that within it the real power, the real responsibility, and the real knowledge will be confined to an inner circle, whose decisions will be practically and politically, even though not legally, final and binding upon the other members? And what will be the position of the latter if they remonstrate and insist on their technical rights? If they refuse to endorse

blindly the decisions of their major colleagues, as honest men and statesmen conscious of the dignity of their country and of their duties to the League should do in certain cases, what will be the likely result? Either they successfully resist the bullying to which they are bound to be exposed, and then their action may shatter the Council and the League itself by causing the great Powers to withdraw the disputed question from the jurisdiction of Geneva. Or they submit in silence, as they are very much more likely to do, especially if they be diplomats accredited in Paris, Rome, or London. In this case their presence on the Council merely serves as a screen behind which the policies of the great Powers are shaped and carried out. A screen and, at the same time, a gag which is unlikely to make for sincerity and open diplomacy.

This leads me to state the second great objection to the unduly enlarged Council, which is entertained in many quarters. All careful students of current international politics will recognize that the great link between the League and the public opinion of the world is the Assembly. Everything that tends to increase the frankness, the reality, and thereby the interest of the Assembly proceedings, strengthens that necessary bond. Now, the Assembly in its debates on the report of the Council, which has been and should again become the great annual event in the life of the League, will be the more outspoken as it comprises more influential members whose countries have assumed no responsibility for the action of the Council under discussion. By increasing from four to six and then to nine the number of the elected members of the Council, the League, while not, as I see it, making the Council more truly effective, has certainly exposed the Assembly to becoming less so, by depriving its natural leaders of their freedom of speech.

In many respects, the Council in its present composition, reminds one of a coalition Government, in which the parliamentary opposition is represented, not enough to be a real force in the executive department of the State, but just enough so as to be appreciably weakened in the legislature. That is why, paradoxical as it may seem at first glance, the recent enlargement of the Council tends, I believe, to endanger the authority of the Assembly and, indirectly, to diminish the influence of those very states whose chances of election to the Council it has increased.

On the other hand, the adoption by the Seventh Assembly of the rules of procedure regulating the elections and limiting the term of office of the non-permanent members of the Council, should be hailed as a very real gain which, in my view, to a large extent offsets the disadvantages to which I have just alluded. Thanks to these rules it is to be expected that the Assembly may in future go about its business of electing the non-permanent members of the Council with greater freedom, with less nervous intriguing, and with less talk of crises and imminent resignations than has hitherto been the case.

As, in sketching the evolution of the Council, I have not refrained from very frankly criticizing it in its present structure, I may be asked how, in my opinion, it might with advantage be improved upon. Although I attach no objective importance whatever to my views, but merely because I feel I owe it to those whom my all too negative criticism may have disquieted or irritated, I will briefly say that I would deem it preferable if:

1. The membership were reduced from fourteen to nine or ten;

2. Permanent membership were abolished and all

members were annually or biennially elected by the Assembly;

3. A number of candidates equal to the number of great Powers in the League were held to be indefinitely re-eligible, whereas the remaining members were to be considered re-eligible only at every other election;

4. The rules of the Covenant, according to which the States not represented on the Council are to be invited to send representatives to sit as members for the consideration of all matters specially affecting their interests, were applied in a less perfunctory manner than heretofore.

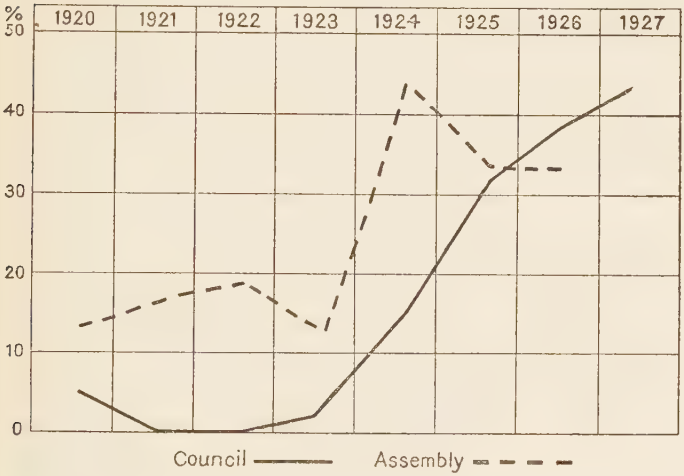
Such a system, which it is of course much more difficult to set up to-day than would have been the case a year ago, would, I believe, present very real advantages.[1] It would make the Council more responsive to the will of the Assembly and of public opinion. It would do away with the irritating distinction between elective and non-elective members, to which the resignation of Spain and Brazil were due. It would prevent the over-representation of certain political groups, from which the Council and the League are undoubtedly suffering to-day.[2] For all these reasons, it would, in my humble judgment, enhance the moral authority of the Council, the influence of the Assembly, and the vitality of the League as a whole.

Besides the structural evolution of the Council, another change in its actual composition should be noted, which is

1. Some such system was urged from various quarters last spring. See for instance my article in the May number of the *Revue de Genève* entitled 'La crise de Conseil'.

2. The present Council of fourteen comprises, for instance, four out of the five continental allies of France, a circumstance which may well, to a certain degree, explain the disaffection of her rival, Italy.

perhaps of even greater significance and which is certainly to be hailed with unalloyed joy. Whereas, during the first year of the League's existence, the members of the Council were often men of minor importance in their own countries, this has almost entirely ceased to be the case, at least in so far as the representatives of European Governments are con-



cerned. The fact that the Council meetings have come to bring the foreign ministers of the greater European States into personal contact four times a year, is one of the happiest developments of recent times and one which would alone justify the existence of the League. Even if there were no available indications of the fact—which is of course far from being the case—the following figures alone would suffice to show conclusively that the Council and the League have

appreciably gained in prestige in the course of the last seven years.

Year.	*Number of Council sessions.*	*Number of States represented.*	*Number of prime and foreign ministers among Council members.*	*Proportion of prime and foreign ministers to number of Council members.*
1920	11	8	5	5·7 per cent.
1921	4	8	0	0·0 „
1922	7	8	0	0·0 „
1923	5	10	1	2·0 „
1924	5	10	7	14·0 „
1925	5	10	16	32·0 „
1926	6	10 and 14	27	39·6 „
1927	2	14	12	42·9 „

III. *The Assembly.*

Can the same be said of the Assembly?

Measured by the same external standards, the Assembly also would seem to have gained in international prestige since 1920, as the following figures show:

Year.	*Number of States represented.*	*Number of prime and foreign ministers among delegates.*	*Proportion of prime or foreign ministers to number of delegations.*
1920	47	6	12·8 per cent.
1921	52	8	15·4 „
1922	51	9	17·6 „
1923	50	6	12·0 „
1924	51	22	43·1 „
1925	50	17	34·0 „
1926 (extr. Ass.)	47	16	34·0 „
1926	50	18	36·0 „

If the presence at the Assembly of the leading statesmen of the members of the League is a true indication of the

importance which they themselves and their Governments attach to the work done in Geneva every autumn, then these figures also tend to show an encouraging development. As a symptom of League vitality, what one might call the improved membership of the Assembly is undoubtedly gratifying.

In order to judge fairly of the evolution of the Assembly as a part of the institutional architecture of the League, however, it would of course be necessary to take other indications into account also. It would in particular be necessary to estimate and to compare the significance of the statements made, of the resolutions passed, of the conventions drafted, and above all of the influence exercised by the successive Assemblies on the development of the League and on world politics in general.

It is obvious that this cannot be done by any simple statistical method, nor with any pretence of scientific accuracy. No one will deny that the Assembly of 1920, by adopting the statute of the Court; the Assembly of 1922, by the stimulus it gave to the reconstruction of Austria; the Assembly of 1923, by the pressure it brought to bear on the settlement of the Corfu affair; the Assembly of 1924, by drafting the Protocol; and the Assembly of 1926 by admitting Germany and thereby putting the Locarno treaties into force, played a decisive part in world affairs.

On the other hand, I wonder whether many careful students of the League's evolution would deny that the first Assemblies showed a spirit of self-confidence and of constructive imagination which the more recent have failed to display. Whether it be the disappointment over the rejection of the Protocol, the loss of leadership resulting from the death of Branting, the absence of Professor Gilbert Murray and the

acceptance of office in Great Britain by Lord Cecil, the natural effect of age, habit, and experience, or the growing preponderance of the Council, it is hard to say. But personally I cannot escape the conviction that in the wholesome emulation between the two bodies, the three last Assemblies have not held their own against the Council and that, unless a reaction sets in, the latter body may become dangerously predominant. I say dangerously predominant because nothing could weaken the loyalty of the majority of the states towards the League and thereby the influence of the League itself more than the feeling that, in the Assembly, they were being treated with insufficient consideration, manœuvred, and subjected to undue pressure by the majority of large powers represented on the Council.

It will be extremely interesting in this connexion to note the effects of the new rules of procedure governing the election of the enlarged Council. Let us hope that they may not result in still further weakening the Assembly by splitting it up into rival factions.

The Assembly can play its all-important part as a general director of League policy and as a link between the Council and the public opinion of the world only if it remains conscious of its rights and of its duties, of its dignity, and of its corporate unity. Its official members must of course never forget that they are not merely individual exponents of their own private views, but also responsible representatives of their respective States. At the same time, some of them at least should have the imagination to realize that the League is more than only the sum of its constituent nations, that it is a new political entity which, as such, needs supranational leadership and calls for a new form of world statesmanship.

Possibly the presence in the Assembly of a small number of the world's greatest minds drawn from other than only political fields and freed from all governmental instructions, might quicken its vitality, enhance its prestige, and increase its usefulness. It has been observed, and it is not difficult to understand, that real international leadership is rarely compatible with strictly national responsibility. That is the main reason why men like Nansen, Lord Cecil before he joined the British Cabinet, and Gilbert Murray exercised and, in the case of Nansen, still exercise, such real leadership in the Assembly. Having no strictly binding official mandate, they expressed only their own views. By so doing, they often re-echoed the hopes, the fears, and the wishes of the world more faithfully and more effectively than their diplomatic colleagues.

Would it be inconceivable that, say, three men of great international reputation, such as Einstein, H. G. Wells or the French historian Aulard, be invited to attend the Assemblies with the right to address it, if they felt they had a useful message to deliver? Could not, for instance, the Committee on Intellectual Co-operation be requested to choose, every year, three such men, and might it not thereby render the League and the world a service truly worthy of the individual eminence of its members?

The foes of the League have so insistently warned their followers against the danger of the super-State, that its friends, in combating that notion, have often gone to the opposite extreme.

If by a super-State we understand a political entity whose sovereignty overrides that of its component parts, the League is of course nothing of the kind. The States members of the League of Nations enjoy a far greater measure of

independence than do, for instance, the so-called sovereign cantons which make up the Swiss Confederation. It would, however, in my opinion, be equally erroneous as a statement of fact and unfortunate as a forecast of policy, to declare that the foundation of the League had exercised and would exercise no influence whatever on the status of its members, but merely offered them new possibilities of international co-operation. The British Dominions also, to take another national example, are free and equal members of the British Commonwealth of Nations. So at least we are constantly being reminded on the highest authority, and so we are valiantly striving to believe. Even if our benighted continental minds succeed in understanding and sharing this conception, does it follow that we must look upon the British Empire as nothing more than a method of international co-operation and not, as being in itself, a legal entity and a political reality of the greatest importance?

So with the League of Nations. Much less than an all-powerful super-State, much more than a mere international letter-box, it is a Commonwealth. Its authority, ill-defined but none the less real, reflects the fundamental interdependence of its members and rests at bottom on their inability to stand alone and on their common will to pursue in common common aims. In this pursuit, they need more than purely national leadership. The rôle of the Assembly—and there can be no greater—is to afford the opportunity for the gradual assertion of such leadership. Where are the leaders whose intelligence and sympathies will be sufficiently broad, whose constructive imagination sufficiently powerful, and whose eloquence sufficiently inspiring to shape into one policy the unexpressed but universally felt hopes and desires of a war-weary humanity, slowly but still steadily awakening to the

consciousness of its fundamental unity and of its ideal oneness of purpose?

The world, the League, and the Assembly are still, are more than ever, awaiting such leaders, whom the present forms of national organization have, since Woodrow Wilson, failed fully to produce. May the press and the Universities, so strongly represented in the present audience, succeed where Parliaments and Governments have heretofore failed and may they, even if they cannot overnight beget or discover new world leaders, at least prepare public opinion to accept them, when the gods of history allow them to appear on the scene of mankind!

IV. *The Secretariat.*

According to Article 2 of the Covenant, 'the action of the League . . . shall be effected through the instrumentality of an Assembly and of a Council, with a permanent Secretariat.' The French text, 'une Assemblée . . . un Conseil assistés d'un Secrétariat permanent' indicates rather more clearly that the Secretariat was conceived to be an auxiliary body, intended to assist the Assembly and the Council.

The idea of a permanent Secretariat seems to have been born of the experience gained during the war notably by the British, in the organization and working of similar administrative bodies assisting the British Committee of Imperial Defence, the War Cabinet and the various inter-allied councils.[1]

Whatever its origin, it has turned out to be one of the most novel and most fruitful conceptions of the founders of the League.

[1] See P. Baker, in *Les Origines et l'œuvre de la Société des Nations*, quoted above, vol. ii, p. 21, 40 et seq.

Its two fundamental characteristics were to be its purely administrative functions and its entirely international composition and spirit. It was to prepare and to carry out the decisions of the Assembly and of the Council, not to initiate nor to shape any policy of its own. The allegiance of its members was to be to the League only and not to the Governments of the various States from whom they might be drawn.

Let us examine in turn these two aspects of the Secretariat, as it was established at the birth of the League and as it has developed since.

As an administrative agency, the Secretariat was, from its inception, a very much more vital organ of the League than the language of the Covenant would lead one to suspect and than most of its authors probably anticipated. This is due to two main reasons.

It may be laid down, first, as a general principle that the relative importance of a civil service stands in inverse ratio to the stability and activity of the political authority it assists. Where Governments frequently change and where ministers are more engrossed with extraneous than with departmental duties, as is the case in most parliamentary states, the civil service is the real power behind the throne. Where, on the contrary, as for instance in my own country, the Government is very stable, the actual tenure of office of its members very long, and their duties more administrative than political, the civil service plays only a subordinate part.

Now, if one may compare the Council and the Assembly of the League with national Governments on the one hand and the League Secretariat with national civil services on the other, it is quite obvious that the balance of influence was at first in Geneva very heavily weighted in favour of the administrative as against the political organs.

The League, especially during the first three or four years of its existence, was a novel and apparently rather insignificant instrument of international government. The States represented on the Council and in the Assembly at first, as we have seen, were inclined to send to Geneva men of minor importance who changed from time to time and for whom their intermittent League duties were never their main tasks. The government of the League was therefore a weak government. Its civil service, on the other hand, was correspondingly strong, all the more so as its members were very discriminatingly chosen from an extremely wide field, for their ability and their devotion to the ideals of the League.

In all minor matters, and even in several important ones, the functions of the members of the Council and of the Assembly consisted mainly in delivering speeches, in reading reports, and in voting resolutions which had been carefully drafted for them by the Secretariat.

During these first years, Council meetings might sometimes have been compared with the harmless pastime of children playing with their toy sailboats on the pond of a city park, the masterful children being the Secretariat and the cardboard admirals on board the boats the dignified and indolent representatives of the powers. As the League grew in importance, a gradual change came about. National Governments, recognizing its possibilities, tended to send their most representative men to Geneva, to entrust their national civil services with the preparation of official instructions, and earnestly to discuss these instructions before League meetings. Accordingly, the pond became the high seas of the political world, the toy sailboats the super-dreadnoughts of national policy, and the bemedalled and beplumed, but very passive admirals the real commanders in action. As

a result, the part of the masterful children on the shore naturally became less decisive and more contemplative.

My impertinent and doubly irreverent simile, for which I proffer my humblest apologies to the children no less than to the admirals, is of course much overdrawn. It will have served its purpose, however, if it has made clear how the growing importance of the League has affected the functions of the Council on the one hand and of the Secretariat on the other.

What the Secretariat has lost, however, in immediate influence over vital League decisions, it has regained on the other hand through the increased scope of League action. It has gained also through the development and increased specialization and efficiency of the countless advisory commissions which now co-operate in the preparation of the resolutions of the Council and of the Assembly. The Covenant, it may be remarked, provided for a Secretariat to assist only these two major organs of the League. The advisory committees, except for the permanent Military and Mandates commissions, are a purely organic product of its evolution, having been provided for not by its constitution, but solely by subsequent decisions.

As a result of this evolution almost every section of the Secretariat of the League has become the special secretariat of one or more advisory committees. Thereby the work of the Secretariat has been increased in technical quality as well as in volume far beyond the expectations to which a mere analysis of the Covenant might give rise.

The volume of work entrusted to the Secretariat can of course be measured only by indirect methods, all symptoms indicating, however, that it has regularly and very considerably increased in the course of the last seven years. Thus the

number of documents dealt with by the Secretariat Registry, the number of meetings held under League auspices and with the administrative assistance of the Secretariat, the statistics of correspondence and publications, all show a striking increase. The staff itself has also increased from 183 in 1920 to 467 in 1926, but in view of the natural economy of effort which experience and routine must have assured, that increase is certainly less than proportional to the enlarged scope and volume of its tasks.

The original conception of the Secretariat appears to have been that of an entirely international and impartial body. To place its international impartiality above suspicion, some of the authors of the Covenant at one time considered the possibility of calling upon a distinguished statesman from one of the smaller countries to organize and to direct it as Chancellor of the League of Nations. This idea was abandoned in favour of the present arrangement before the final adoption of the Covenant. In view of subsequent developments, it is difficult to imagine how an independent Chancellor, drawn from a small nation and deprived of the national backing of any particular Government, could have secured and maintained the necessary authority over an international organization, so far from universal in membership and so preponderantly dependent upon the goodwill of Great Britain and France as was the League of Nations during the first years of its existence.

It was clearly understood, however, from the start that the officials of the Secretariat were to be international civil servants and not in any respect national delegates. This conception was very forcefully expressed in the report presented to the Council by the British representative, M. A. J. Balfour, as he then was, and adopted by that body at its meeting in

Rome on 19 May 1920. The relevant passages of that report read as follows:

. . . 'By the terms of the Treaty, the duty of selecting the staff falls upon the Secretary-General, just as the duty of approving it falls upon the Council. In making his appointments, he had primarily to secure the best available men and women for the particular duties which had to be performed; but in doing so, it was necessary to have regard to the great importance of selecting the officials from various nations. Evidently no one nation or group of nations ought to have a monopoly in providing the material for this international institution. I emphasize the word "international", because the members of the Secretariat once appointed are no longer the servants of the country of which they are citizens, but become for the time being the servants only of the League of Nations. Their duties are not national but international. . . . I shall propose that no member of the Secretariat, during his or her term of office, shall accept any honour or decoration except for services rendered prior to the appointment. The reasons for this proposal are fairly clear. . . . The members of the staff carry out, as I have explained, not national but international duties. Nothing should be done to weaken the sense of their international allegiance; the acceptance of special marks of distinction or favour, either from their own or from any other country, militates, in our view, against the general spirit of the Covenant.'

This view was fully shared by the Secretary-General himself, who, in a memorandum submitted at the same session of the Council, declared: 'The members of the Secretariat act, during their period of office, in an international capacity, and are not in any way representatives of their own Government.'

As an almost necessary consequence of this conception of the Secretariat, the leading officials of the League were, at first, drawn not from the ranks of the national diplomatic

services but quite deliberately from other walks of life. Of the four Under-Secretaries appointed in 1920, for instance, none was a professional diplomat. To-day, three out of four of them are. Although still theoretically responsible to the Secretary-General alone, they, as well as many other recently appointed officials, were all chosen in close consultation with the Governments of their respective countries.

That a man who has begun and probably intends to end his career in the diplomatic service of his own country should not consider himself to be loaned to the League for purposes not solely international, while temporarily occupying a position of political importance to which he has been appointed on the express recommendation of his own Government, is more than one may expect of human nature. And that a Secretariat largely constituted of men thus seconded by their Governments should still be held to be entirely impartial when dealing with questions affecting the prestige and interests of their respective countries, is more than common sense will admit. It is impossible therefore not to note the evolution which has taken place in this respect in the structure and spirit of the Secretariat in the course of the last years.

The famous decree by which the Government of one of the principal States members of the League officially and expressly asserted its unconditional authority over the citizens of that State holding international positions, is but one external symptom of that evolution. The position thus adopted by that Government with a measure of frankness which is not, in my eyes, the unloveliest trait of its general policy, is perhaps not very different from that more discreetly assumed by others. So long as that position remains unchallenged by the League as a whole, it will be very diffi-

cult, to say the least, to consider all members of the Secretariat as entirely above the suspicion of national partiality in their international functions.

If one must note, not without regret, this evolution of the Secretariat, one should neither overlook the circumstances which have determined it nor exaggerate the disadvantages and the dangers of the present position.

The fact that certain Governments have brought increasing pressure to bear on the Secretariat is a proof of the growing political importance they attach to the League. In so far, it is the symptom, however unwelcome in itself, of a very welcome development. Furthermore it is obviously conducive to prompt and easy international co-operation if the Governments called upon to co-operate are represented at Geneva by officials who enjoy their full confidence. This confidence they are of course the more likely to enjoy if appointed on their express recommendation. In a certain respect, the change which has come about in the relative importance of the national and international functions of the Secretariat is a tribute paid to what I have called elsewhere the League to promote international co-operation by what I have termed the League to prevent war.

In the field of contentious political debate, the absolute international independence and impartiality of members of the Secretariat is clearly much more important than in that of non-contentious activities. As the latter field has been tilled by the League with far greater success than the former, it is not surprising that there has been a trend in favour of another type of ploughman. The sociologically-minded historian will readily detect here an example of the function influencing the development of the organ.

It was originally intended by many that the main duty of

the League was to prevent war by settling political conflicts on the basis of justice. If and when the League should, with confidence and energy, again give this item the first place on its programme of action, the demand for a Secretariat exclusively composed of officials as unbiased and as purely international in their loyalty as human nature will permit, will doubtless again arise. In the meanwhile it should be noted that in at least one of the very rare cases in which contentious issues vitally involving the political interests of great Powers have come before the League, the Secretariat officials of the interested nationality have remained in the background. The case to which I refer is the Mosul dispute between Great Britain and Turkey, in the consideration of which the place of the British Secretary-General at the Council table was taken by his French deputy.

It should finally be noted also that, as the League grows more universal in membership and the Secretariat more representative in its international composition, the disadvantages and dangers of national bias on the part of the individual officials grow less. To be sure, justice in international relations is not to be defined as the mere mathematical resultant of divergent national claims. There is no doubt, however, that the chances of justice in the world are greater when all divergent claims are presented with equal force than when some alone are urged and others ignored, for lack of advocates to press them. After the perhaps impossible ideal of an international civil service whose members would all be inspired solely by the pure love of international justice, the next best thing is therefore a Secretariat in which all national claims are fairly and freely represented. In this respect, also, the admission of Germany into the League and of a considerable number of Germans into the Secretariat should make for

greater, if not necessarily for ideal justice in the consideration of international affairs.

V. *The Advisory Commissions.*

Besides the Council, the Assembly, and the Secretariat, the other major organs of the League are the advisory committees, the International Labour Organization, and the Permanent Court of International Justice.

Of these I shall say but very little, not because there is little to say, but on the contrary because the detailed study of their organization and development would take more time and space than I can spare.

The advisory committees I regard as the most symptomatic structural product of the League's evolution. As aforesaid, the Covenant itself provided only for two such organs, the permanent Military Commission and the permanent Mandates Commission. The pressure of circumstances, however, has led the Council to surround itself by a whole army of international experts, divided and subdivided into a large number of divisions, brigades, regiments, and battalions. The mere enumeration of the principal of these organs, tedious as it may seem, will give an idea of the variety of subjects dealt with. Almost half of the recently issued 'Report to the eighth ordinary session of the Assembly of the League, on the work of the Council, on the work of the Secretariat, and on the measures taken to execute the decisions of the Assembly' is devoted to the activities of these advisory bodies, the most important of which, according to this report, are:

The Committee of experts for the progressive codification of international law, with its sub-committees;

the Economic Committee with its sub-committees on the application of the international convention relating to the simplification of

customs formalities and on the economic relations of different countries;

the joint committee on economic crises and the preparatory committee on economic statistics;

the Financial Committee with its sub-committee on Estonian banking and currency reform and the committee of experts on double taxation and fiscal evasion;

the advisory and technical Committee for Communications and Transit, with its various special committees on transport by rail, for ports and maritime navigation, on maritime tonnage measurement, for inland navigation and on road traffic and their countless sub-committees and committees of legal and other experts;

the Health Committee, the advisory committee of the Health organization, the standing Health Committee, the two expert sub-committees set up in connexion with the Singapore Bureau, the commissions of expert statisticians to consider the revision of the international list of causes of death, the commission on health insurance, the conference of health experts, on infant welfare, the malaria commission, the international sleeping-sickness commission, the permanent standards commission with its sub-committees on the standardization of anti-tetanous and anti-dysenteric sera, the international conference on rabies;

the advisory Commission for the Protection and Welfare of children and young people, consisting of the welfare committee with its agenda, liaison, and legal sub-committees and of the traffic in women and children committee with its special body of experts;

the Advisory Committee on the Traffic in Opium and other dangerous drugs, the commission of inquiry into the production of opium;

the Committee on intellectual Co-operation with its sub-committee of experts on the instruction of children and youth in the aims and objects of the League and a special committee of this sub-committee, a committee of representatives of official chalcographic institutes, a committee of representatives of museums and various committees of experts for the co-ordination of bibliography in

economic sciences on the bibliography of greco-roman antiquity, on international year- and hand-books, on the bibliography of biological sciences, for the co-ordination of libraries, to study questions concerning the translation of scientific and literary works;

the preparatory committee of press agencies and the conference of press experts.

In the spring of this year an investigation was made in the Secretariat as to the number and average duration of meetings held under the auspices of the League during the years 1920 to 1926. Although these figures include the sessions of the Council and of the Assembly, they of course relate mainly to meetings of the various advisory bodies whom we have mentioned and they may therefore not irrelevantly be quoted in this connexion. They are as follows:

Statistics regarding the number of meetings held under the auspices of the League during the years 1920–6.

Year.	*Number of meetings held.*	*Average number of days the meetings were in session.*
1920	23	10
1921	37	8·43
1922	47	5·74
1923	67	6·82
1924	86	7
1925	94	5·77
1926	105	5·54

What do all these facts and figures point to? They have but one significance. The League of Nations, created essentially as a political institution to prevent wars between nations, has in fact become the great administrative agency for the promotion of voluntary international co-operation between them in times of peace. The technical advisory

committees, which multiply in number and specialize in function from year to year, are the structural expression of a world need.

Divided into separate units for purposes of political self-assertion, humanity is, economically and socially, one great organism. As its component parts become more conscious of their interdependence, this organism tends to express its unity by means of other than political institutions.

In the present state of civilization there is in this respect a fundamental contradiction. Politically, nations seem to be striving apart and never have they been more insistent on their sovereign rights as independent entities. Economically and socially, however, they are being drawn closer and closer together by forces which are ever growing more irresistible and of which they are growing ever more conscious. Through its technical organizations and activities, the League is seeking to reconcile these otherwise incompatible tendencies. It is striving to overcome the obstacles which the dogma of national sovereignty has placed along the road of human evolution. It is thus promoting voluntary co-operation between those whom frontiers divide, but whom common aims and needs unite.

The higher the political barriers, the more imperious the necessity of international co-operation. But the closer and more continuous international co-operation becomes, the more irksome and the less indispensable the high political barriers will doubtless in time become. Thus checked in its frontal attack on the citadel of war by the as yet invincible forces of national sovereignty, the League is by means of its technical bodies executing a vast flanking movement around and against it. This movement is slow and its achievements undramatic, but its eventual success seems assured, unless

mankind would deliberately prefer poverty and stagnation in a state of potential war, to wellbeing, fraternity, and progress in international security.

VI. *The International Labour Organization.*

Of all the numerous technical institutions of the League, the International Labour Organization is the most important, as it is by far the largest. In fact, under the inspiring leadership of the fiery director of the International Labour Office, its independence and its size have become such, that it cannot properly be dealt with as a mere part of the League structure, but calls for a special study. I would here note only that, in its evolution, it has met with the same difficulties as the rest of the League and that it is struggling to overcome them by resorting to similar methods.

It was intended primarily to improve social conditions the world over by gradually levelling them up to the standards of the most advanced nations. In the drafting, the signing, the ratification, and above all, in the effective application of its labour conventions, it has constantly been battling against the forces of national egotism. Without, of course, abandoning this, its main task, it has tended more and more to enlarge the field of its co-operative and non-contentious activities. It has thus become a great international research institution. By ascertaining the facts of industrial life and progress the world over and by disseminating their knowledge by means of its countless publications, it is attempting to build up a more enlightened public opinion. Thus it hopes that the obstacles which stand in the way of the achievement of its main purpose of international legislation may little by little be overcome.

VII. *The Permanent Court of International Justice.*

The Permanent Court of International Justice is the last of the organs of the League to be here considered. It is, in my opinion, in many respects the most important and would of course also demand an independent study. I can here but briefly outline its history and note the evolution in its functions which, perhaps partly unforeseen at the time of the drafting of the Covenant, is doubtless due to the same general causes which have so strongly influenced the development of the other organs of the League.

Article 14 of the Covenant, which called for the creation of the Permanent Court of International Justice, reads as follows:

'The Council shall formulate and submit to the Members of the League for adoption plans for the establishment of a Permanent Court of International Justice. The Court shall be competent to hear and determine any dispute of an international character which the parties thereto submit to it. The Court may also give an advisory opinion upon any dispute or question referred to it by the Council or by the Assembly.'

The Council, at its second meeting, in February 1920, decided to appoint a committee of ten jurists for the purpose of preparing the plans mentioned in the first sentence of this article. These jurists met at the Hague in June and July 1920 and agreed on a draft statute which, amended by the Council in October 1920 and by the first Assembly, was unanimously approved by the latter body on 13 December 1920. This statute, having come into force before the second Assembly, the Court was elected on 14 and 16 September 1921, and on 30 January 1922 it met for its first session.

The most important change proposed by the Council and

reluctantly accepted by the Assembly was the suppression of the compulsory jurisdiction with which the jurists had wished to endow the Court. Although the principle of compulsory jurisdiction seemed to meet with the approval of the majority of the delegates of the Assembly, it was opposed notably by the representatives of France and Great Britain as contrary to the Covenant. It was accordingly sacrificed on the altar of unanimity.

As a concession to the partisans of the extension of the Court's powers, its jurisdiction was rendered optionally compulsory, i. e. compulsory in juridical matters as between those States which once for all accepted it as such.

Of this possibility 16 States have availed themselves up to date: 9 [1] in 1921, 4 [2] in 1922, 1 [3] in 1923, 2 [4] in 1926.

Accordingly, it would seem first that the principle of compulsory jurisdiction is more popular among the minor States than among the great Powers and secondly that it is not gaining ground very rapidly. It should be noted, however, that its progress cannot be fairly measured by this standard alone, as it may be and has been promoted also by other means. Thus every recent year has witnessed an increase in the number of bilateral and multilateral conventions providing for compulsory recourse to the Court. As a result, a large section in the field of international relations is to-day already placed under its legal guardianship.

If we consider the scores of international agreements which provide in the last resort for the compulsory jurisdiction of the Court—the Mandates, Minority, Locarno, arbitration

[1] Bulgaria, Denmark, Haiti, Netherlands, Norway, Portugal, Sweden, Switzerland, Uruguay.

[2] Austria, China, Finland, Lithuania.

[3] Esthonia.

[4] Abyssinia, Belgium.

treaties, and the host of technical conventions,—if we consider the thousands of possible disputes which may arise over their interpretation and application, we will note with some surprise that the Court has, so far, been called upon to decide only nine cases in the course of the last five years. For this apparent anomaly there are at least two excellent reasons.

In the first place, resort to the Court, the *ultima ratio* in peaceful international relations, is provided for only if negotiations and attempts at conciliation have failed. Now in spite of certain glaring failures, one should never overlook the fact that diplomacy almost invariably succeeds in dealing with current international affairs. Secondly, almost any negotiated and therefore, willingly or reluctantly, but always freely accepted solution is preferable to the costly and uncertain decision of a court. This is true in international relations still more than in private business. Judicial decisions are, or at least should be, imperative. If they seldom give complete satisfaction to the victors, they rarely fail to produce resentment in the vanquished. The Permanent Court of International Justice may therefore very well have assured the negotiated settlement of several disputes by the mere fact of its existence and the consequent threat of its possible intervention.

For both these reasons, friends of peace should not deplore its relative inactivity.

Moreover, this inactivity has not been as marked as it would appear if the rendering of judicial decisions were alone considered. The Court, as is well known, may also be called upon by the Council and the Assembly to give legal advice. As a matter of fact, this consultative function has been more freely exercised than the other. Up-to-date, the Court has delivered advisory opinions in thirteen different cases.

This predominance of the consultative over the purely judicial functions of the Court is extremely significant. It is still another symptom of what is, in my view, the main characteristic of the League's evolution since its birth. Here, as on every other point on which we have touched in this study, we see the League developing its voluntary and co-operative activities at the expense of its coercive functions.

In the present stage of international relations, the League may successfully influence the policy of its member States by advice, persuasion, and emulation. It apparently cannot yet, and certainly has not yet, imposed its collective will on any recalcitrant member. The balance between international solidarity and national sovereignty is still too heavily weighted in favour of the latter. In other words, we are still in the first stage of the transitional period of world history, of which the creation of the League may be said to have marked the beginning. The centre of gravity of political power is still almost completely in the capitals of the individual States members of the League, and not in Geneva.

If humanity is to be spared a relapse into the dark ages of national extermination through international strife, the present and future centuries must witness the gradual shifting of this centre of gravity. As, in the past, the establishment of national sovereign States alone put an end to armed conflicts between rival clans, cities, and provinces, so, in the future, are permanent international peace and real security difficult to conceive, unless the collective will of mankind be endowed with the power of overriding that of its constituent national groups. This ultimate goal is indeed still very far distant. The foundation of the League of Nations, however, is nothing, if not a first momentous step in that direction.

VIII. *Conclusion. The Functions of the League.*

So much for the evolution of the League, that is of its structure, its anatomy. To consider with equal detail the development of its activities, its physiology, would require more time and space than we can here devote to the subject. We can the more readily dispense with this discussion as what we have noted with respect to the changes undergone by the organs of the League has already indicated the general trend of the evolution of its functions.

A few general remarks may therefore suffice in conclusion.

In various publications I have examined the functions of the League under the three headings of the execution of the peace treaties, the promotion of international co-operation, and the prevention of war. The comments which this system of classification has aroused in various scientific journals confirms my belief that it is not only convenient, but on the whole also sound. I shall therefore adhere to it here.[1]

It is in the execution of the peace treaties that the enlargement of the League's membership has had its most decisive effects.

When the League was born, at the beginning of 1920, its Council found itself entrusted with the execution of several very important measures, relating notably to Minorities, Mandates, the Saar basin, and the free city of Danzig. The Council, at that time, was, with the sole exception of the Spanish ambassador in Paris, entirely made up of representa-

[1] See *La Politique de la Suisse dans la Société des Nations*, Geneva, 1925, translated into German as *Die Politik der Schweiz in Völkerbund*, Coire and Leipzig, 1925, and *International Relations as viewed from Geneva*, New Haven and Oxford, 1925.

tives of the victorious Powers. These Powers had imposed the treaties of peace on the vanquished and had, at the same time, excluded them from the League. Under such circumstances, it is not surprising that the spirit in which the Council went about this, its first important business, was hardly that of a disinterested and impartial magistrate.

As one after another of the vanquished joined the League, as Sweden, in 1922, was elected to the Council, and as finally Germany, in 1926, was admitted both to the League and to the Council, a gradual change for the better began to take place in this respect. Although that evolution has not yet reached its natural conclusion, it is certain that, to mention only two examples, the administration of the Saar and the protection of minorities are to-day being carried on in a more equitable and in a less vindictive spirit than was the case in 1920. As was to be expected, it is in this field that the influence of Germany in the League has been most noticeable, and the intervention of her representatives at the Council table most active and most effective.

If permanent peace can only be based on justice and if justice in international relations, as elsewhere, demands that fair and impartial treatment be measured out to all concerned, then the recent evolution of the League of Nations in the execution of the treaties is tending in the direction of permanent peace. The goal, although not yet attained, is now in sight. The sooner it be reached, the better, not only for those at whose expense the treaties were drawn up and for their authors, but especially also for the League itself, to whom the war bequeathed, as a most unwelcome and onerous legacy, the duty of settling its estate.

In the field of international co-operation, as we have seen already, the League is performing a very useful, a very

varied, and an ever increasing task. Its main achievements here would seem to lie in the economic sphere.

In this sphere the list of the services it has rendered to humanity is already very long and very honourable. May it suffice to recall the reconstruction of Austria and of Hungary, as well as the more recent feats in Greece and in Bulgaria. This list has recently been lengthened notably by the addition of the successful Economic Conference in May 1927.

Economic progress in international affairs can only be promoted through the combined efforts of individual enterprise, State action, and League co-ordination. Of the three members of this team, no one will dispute that the League has, since its existence, pulled at least its full share of the load. If all States were wise and courageous enough to follow the advice they received from the League, especially in Brussels in 1920 and in Geneva in 1927, the world in general and Europe in particular would soon be out of the thorny economic jungle in which they have been plunged as a result of the war.

The record of the League in its efforts to prevent war, its third and most important task, is alas not so brilliant. Doubtless it has indirectly done much to promote peace, by more fairly executing the peace treaties and by promoting international co-operation. Doubtless also it has directly done no less to promote peace by promoting publicity and arbitration in international relations, but it would be a bold, a very superficial, or a very dubious friend of the League who would pretend that in the matter of the pacific revision of obsolete treaties and in the field of security and disarmament, Geneva had not grievously disappointed the world.

Article 8 of the Covenant, adopted in 1919, provides that 'the Members of the League recognize that the maintenance

of peace requires the reduction of national armaments'. When we realize that to-day, after nearly eight years of investigation, study, and debate by the Council, the Assembly, the Permanent Military Commission, the Temporary Mixed Commission, countless special committees, sub-committees and conferences, the powers have not only failed to bind themselves to carry out this pledge, or even to agree on a plan of reduction of armaments, but when they still show the greatest reluctance to arrive at a conclusion on a plan which would aim merely to limit their armaments, that is, to maintain them at the present level, then it requires more official optimism than I can muster to declare complacently that reasonable progress has been made towards the solution of a very difficult problem.

No, it must be frankly admitted that here we are faced with a real failure. A failure more disquieting, as I see it, in its causes than in its immediate consequences.

The main results of this failure are a continued burden of taxation for all concerned and a continued and perhaps increasing state of international suspicion. But unfortunate and dangerous as these are, the lack of security which explains, if it does not completely justify, the ineffectiveness of all previous efforts towards disarmament, would seem more unfortunate and more dangerous still.

Nations may refrain from disarmament for any of three reasons: the desire to maintain their authority over discontented subjects of the State at home or abroad, the will to extend it at the expense of their neighbours, or finally, the fear of encroachment and aggression from without. Of these three factors, which doubtless all play some part in preventing disarmament to-day, the last is certainly the most important.

The main justification of national armaments is therefore the feeling of national insecurity. Nations feel insecure because they do not trust their neighbours and because, distrusting them, they do not and cannot as yet rely on the League as an institution able and willing to protect them in case of need. Dispel this international suspicion and the protection of the League becomes both easy and unnecessary. Create confidence in the protection of the League and international suspicion becomes both less real and less dangerous.

To dispel international suspicion and to create confidence in the protection of the League are consequently the two fundamental methods of promoting disarmament. Both have been and are being applied, but neither as yet with very great success. As long as the nations, insisting on their ultimate right to be a law unto themselves, refuse to accept unconditionally the supreme authority of a world commonwealth, they will remain a threat one to another and therefore a danger to themselves.

The League of Nations is a timid and still only half conscious effort to establish this supreme authority. If we were to base our present attitude and our forecasts on a comparison between the League as it is to-day and as it would be if its authority were unquestioned and universal, we might well lose hope. But if, more wisely, we compare the world to-day with the League such as it is and as it is growing daily, with the world as it would be without the League, as it was without the League ten years ago, then our generation should be filled with gratitude for the past and with confidence, courage, and determination for the future.

CHAPTER II

PROGRESS AND PROBLEMS OF THE INTERNATIONAL LABOUR ORGANIZATION

I. *The Progress of Ratifications.*

Mr. E. J. Phelan:

AS we saw last year, a first, though by no means a final measure of the progress of international labour legislation is the number of ratifications of labour conventions. It is the readiest test, but without a great deal of qualification it may be insufficient, or even misleading. Not all the labour conventions are to be regarded as 'ratifiable' by all the Members of the Organization: the wheels of governmental machinery move slowly and the age of a convention affects its prospects: not all the Members of the Organization have had the conventions presented to them in annual instalments, because not all of them have been Members since the Organization began: federal States may not be able to ratify for constitutional reasons: and when ratification is not achieved an advance in social protection practically equivalent to the standard demanded by the convention may have been realized, although for some small technical reason ratification may be impossible.[1]

But although the figure for ratifications has to be subjected to these and other qualifications before any value can be attached to it as a measure of the results obtained by the International Labour Organization, a *comparison* of the total

[1] For a discussion of these and other considerations see 'Current Progress of International Labour Legislation' in *The Problems of Peace*, 1927.

number of ratifications to-day and twelve months ago gives a useful indication of progress. As the Conference adopts new conventions year by year, the goal to be attained of a theoretical 100 per cent. ratification standard as steadily recedes. If the number of ratifications were to remain stationary it would not mean simply absence of progress but actual retrogression.

A comparison of the position to-day and the position in August 1926 may be made as follows:

	August 1926.	*August* 1927.
Ratifications registered . . .	206	230
Ratifications authorized . . .	30	32
Ratifications recommended . .	153	176
Total ratifications registered or in sight	389	438

Thus there have been 24 new ratifications, or ratifications have been coming in at the rate of approximately two a month.

This table must not, however, be read as indicating that the number of ratifications authorized has increased by only 2, the number of ratifications recommended by 23, and the number of new decisions concerning ratification by 49. What has happened is slightly more complex. Twenty-four of the 'ratifications authorized' in 1926 have become 'ratifications registered' in 1927, thus leaving 6 of the 1926 'ratifications authorized' which have not yet taken the final step. But 26 of the 'ratifications recommended' in 1926 have become 'ratifications authorized', and we have thus 6 + 26 'ratifications authorized', i.e. 32 in 1927. Similarly 127 of the 153 'ratifications recommended' in 1926 have still to move on from that stage, and as there are now 176 'ratifications recommended' this means that 49 new recom-

mendations to ratify have been made. Thus in the twelve months under review there have been:

24 final acts of ratification;
26 ratifications authorized;
49 new ratifications recommended;

or a total of 99 definite governmental or parliamentary decisions in favour of ratification.

Each of these decisions has of course its special importance. Each of them means that the cause of a particular convention has had to triumph over all the difficulties inherent in a national legislative and administrative machine, has had to compete against all the other legislative and administrative measures for which there is a national demand. Each of them would provide an interesting study in itself, but two have a particular interest of a general kind: they are the Belgian and the French ratifications of the Hours Convention.

II. *The Hours Convention.*

The view is sometimes expressed that the Hours Convention, or rather its general acceptance, is to be regarded as the touchstone of the success or failure of the International Labour Organization. Personally I think this is to attach too great importance to only one of the many conventions which the Conference has formulated. But there is no doubt that the Hours Convention has a unique position among the decisions of the Conference. No other question has such a long history, no other demand has been formulated with such insistence and so universally by the organized labour movement in all countries, and no other social reform has represented so definite and so general an improvement in social conditions. For the Organization to fail in securing for that reform a formal international sanction would un-

doubtedly be a blow to its prestige and would tend to diminish the confidence of the organized workers in its efficiency. It would at all events mean that while the Organization might have proved itself capable of useful work on problems of secondary importance, it would seem impotent to influence the more fundamental conditions of labour. For the International Labour Organization to fail to secure an effective international regulation of hours would be comparable to the failure of the League to deal with a major issue of Peace and War. Such a failure would not necessarily mean the disappearance of that institution, nor destroy the value of its present achievements, but it would certainly diminish the importance of its rôle and adversely affect its usefulness in less essential spheres.

The interest taken in the progress of the ratification of the Hours Convention is therefore easily understandable, and while to describe in detail the whole situation regarding this convention would lead us too far afield, a word may be said as to the significance of the Belgian and French ratifications which have now been registered.

The Hours Convention has of course accomplished much. Its ratification by India (for whom it contains special provisions) has meant an immense improvement in the conditions of Indian factory workers, and guarantees those improved conditions to the steadily increasing Indian industrial population. It has also produced improved conditions in the other countries which have ratified. The problem is not, therefore, that the convention is a dead letter. It is far from it. But there has been a reluctance on the part of the great industrial States to ratify it, and since the question of hours of labour is a universal preoccupation of organized labour and a fundamental element in international competition,

it is this attitude on the part of the great industrial countries which has given rise to the forebodings of the kind indicated above.

The position a year ago was this: Czechoslovakia had ratified in 1921 and Italy had ratified conditionally in 1924; i.e. the convention does not become binding on Italy until certain industrial States specified in the ratification also ratify, but when they do so Italy becomes automatically bound. If they should fail to ratify, the Italian ratification never comes into operation. Czechoslovakia's ratification was a 'straight' ratification and was binding from the moment it was made. But if no other great industrial State ratified, it may be considered as unlikely that Czechoslovakia would have been prepared to remain bound when her competitors were free, and she would have been able to denounce the convention by giving one year's notice in 1931.

The position now is that Belgium has ratified by a 'straight' ratification and that France has registered a ratification which is conditional on the ratification of Great Britain and Germany. Legislation is going forward in Germany, which if adopted (and there is at present no reason to anticipate that it will not be) will allow of Germany's ratifying. The German ratification may be also conditional, conditional on the ratifications of France and Great Britain. If this should prove to be the case it will be the British ratification which will decide whether or not the convention shall come into effective operation among the great industrial powers.

The British attitude may therefore well determine the fate of the convention. It may be summarized as one of caution. Hours equal to or less than those stipulated in the convention (as maxima) are already in force in Great Britain for well over 90 per cent. of the working population by means of

collective agreements. These collective agreements form an elastic system which is easily adaptable to all the technical complex needs of industry. It is urged that a legal maximum would be inelastic and would constitute an additional difficulty for employers in present economic circumstances. Collective agreements can be adapted by negotiation trade by trade, and can be easily modified if modification should prove necessary. But legislation, once adopted, could probably, in practice, never be repealed, and there is a fear of its too great rigidity.

A greater familiarity with the terms of the convention has done much to weaken this argument. The convention itself allows of all sorts of elasticity 'after consultation with' or 'in agreement with' organized employers and workers. The authors of the convention realized that they could not lay down fixed and rigid rules applicable to all industries and processes, the technique and organization of which varies in different countries, and so they provided for just this very elasticity. The original opposition of the system of free collective agreement to a legislative minimum has therefore largely disappeared, and it is a little curious to note that those who previously opposed the ratification of the convention because it was too rigid, now oppose it because it is too elastic. They argue that there is no guarantee that this elasticity may not be so used that there will in fact be inequalities of application as between ratifying countries. The British Government's declared policy now is that Great Britain will legislate and ratify if the prospect of uniform interpretation of the convention and of its application can be achieved, and with the object of securing such uniform interpretation and application the British Minister of Labour convened a conference of the Ministers of Labour of France,

Germany, Belgium, and Italy in London in 1926. This conference arrived at a unanimous agreement on a number of important points, and the Belgian and French ratifications are no doubt in a large measure the result of its successful work.

Why then does not Great Britain ratify? It is not for me to attempt to answer that question. I can only say that the success of the London Conference, the subsequent ratifications of Belgium and France, and the progress of German Hours legislation point to steady progress towards the ratification of the convention by all the great industrial Powers. Undoubtedly the situation is more hopeful than it has been since immediately after the Washington Conference.

It is easy of course to oppose one series of arguments to another. If international problems could be solved by pure logic like riders in Euclid the task of the international ordering of the world's problems would be much less difficult than it is. But in international life there are no self-evident axioms and no agreed postulates. We have to deal not only with facts but also with opinions, and opinions honestly held can no more be ignored than the most stubborn facts.

The difficulties and the delay in the ratification of the Hours Convention arise from fundamental causes of this kind. It is of course true that the Hours question is one which has economic repercussions more general and more serious than those of other labour conventions. It is therefore natural that great industrial States should hesitate, and be anxious to explore fully the results of their participation in an international arrangement concerning it. But such an examination, complex though it be, is not beyond the bounds of intelligence. The real difficulty lies still deeper and is of a more general nature. It is in fact psychological.

In a world of isolated 'sovereignties', where inter-state relations were reduced to a minimum, each state necessarily tended to be as self-sufficient and as self-centred as possible. Each State, in its own eyes, represented the highest civilization on earth; other States were regarded as slowly emerging from barbarism. Even when democratic systems began to question the reality of this perfection the questioning was confined to internal affairs. Domestic conditions might be criticized, within limits, provided it was proclaimed that domestic conditions elsewhere were very much worse. Any other attitude was regarded as little short of high treason. This trait corresponded to a stage in the development of world society. It is easy to find examples. If I take them from England it is because I am addressing an English-speaking audience; and perhaps the geographical situation of England, its lack of land frontiers, has tended to emphasize an 'insularity', by no means, however, confined to islands. You all remember the popular belief, sincerely held, that one Englishman was as good as three Frenchmen, or 'froggies', and the British sailor's classification of all latin peoples as 'dagos' and of all germanic peoples as 'dutchmen'. Those expressions were more than slang. They were symptoms of a very real but less extreme belief held even by intelligent people. The war has altered a good deal of this popular conceit. The English Tommy is no longer believed to be the superior of three of the defenders of Verdun, and even the bluest of the blue-water school is faced with the incredible but unescapable fact that the German sailors proved themselves no mean adversaries in the North Sea and at Coronel. It is a necessary change if the world is to proceed to manage its affairs by collaboration. You cannot collaborate with an inferior, with a person whom you do not respect. But this

national superiority complex is too deep-rooted to disappear abruptly. It still subsists in many of its phases; for example, in the attitude of the tourist who tends to criticize indiscriminately everything which is unlike what he is accustomed to. And it subsists more strongly still as regards those features of national life in another country of which we have no direct experience.

It is therefore not surprising to find this kind of superiority complex specially vigorous as regards the probity and impartiality of other administrations. No form of it is more widespread than the belief that other administrations are more corrupt, more amenable to political influence, less efficient, less conscientious, less 'serious' than our own. And the hostility of a certain section of English opinion, and in particular the reluctance of many British employers, as regards the ratification of the Hours Convention, is I think to be best explained as an example of this general trait.

They complain that they suffer from the long hours worked by their competitors; they affirm that in Czechoslovakia and in Belgium, where the convention has been ratified, it is not applied. When it is argued that ratification would change nothing in their own régime but would give them the right to enforce by means of international sanctions effective application by their competitors, they reply that, while their own administration would apply the convention strictly, other administrations would continue to be lax; and that complaints would be ineffective because they would be considered by a body on which a majority would hold this lower standard of administration. The argument would be more convincing if it were not used in exactly the same form by all the other countries.

But to say that it is not convincing is not to say that it can

be disproved by any process of logic. It represents an opinion honestly and widely held, an opinion which can only be changed by the cumulative experience of the new international collaboration in different forms.

Now, what is the prospect of this difficulty being overcome? What is the prospect of this opinion being modified, so that fears and suspicions may be allayed? It is impossible to prophesy about opinion, but there is one new factor in the situation which I believe is full of promise.

The Treaty provides under Article 408 that every country which ratifies a convention must send in an annual report, in the form prescribed by the Governing Body, on the steps which it has taken to apply the convention. These reports have been regularly furnished and transmitted to the Conference. But they involve an immense amount of technical detail. There are now 230 reports, each requiring to be read in the light of national legislation and administrative orders, annual factory inspection and other reports, and so on. It was quite evident that to expect the Conference to examine and compare this enormous mass of material, so as to exercise any form of control, was to expect the impossible. And so the Conference very wisely decided last year that the reports should be submitted to a small committee of independent experts meeting in the interval between Conferences who would have both the experience and the time necessary for the task. This expert Committee resembles in fact very closely the Mandates Commission. Its members have been chosen because of their knowledge and independent standing; they are not national representatives in any sense; and they receive and examine the reports of Governments on their labour administration so far as it is covered by a ratified convention.

This Committee met for the first time this year and its report was transmitted by the Governing Body to the Conference, which appointed a special Committee to consider it. I cannot here go into the details of that report. All I would point out is, that the competence and impartiality of the Committee are beyond question. The Conference itself found nothing to add to or subtract from its report, and no criticism was formulated on the directness and discretion with which it had accomplished its delicate task. It reported courageously certain cases in which application appeared to be defective: in other cases it suggested that further information should be asked for. But it was also able to report that the general standard of application was extraordinarily high. This is the first experience we have had of the Committee's working. It is an innovation on which some doubts were expressed, both by those who feared that it might prove merely a whitewashing machine, and those who were afraid that it would arrogate to itself the functions of a tribunal putting innocent States in the dock on frivolous pretexts. These misgivings have proved unfounded. The work of the Committee has proceeded like the work of an auditor; it has examined the national balance sheets of reform which the Conventions require to be presented, and its observations have neither offended national susceptibilities on the one hand, nor failed to direct attention to insufficient or unsatisfactory information on the other, where such criticism seemed called for.

But what it has done incidentally in the course of its careful review of the Reports submitted to it is to confront administrative experience in the different countries point by point and detail by detail. As it continues its work next year, in the light of the fuller information which will then be

available, and as it gains in authority and prestige, it will undoubtedly be a powerful influence in modifying that unqualified superiority complex which lies at the root of the difficulty concerning the ratification of the Hours Convention. It is mainly this reason which leads me to be optimistic about the ultimate success of an international regulation of hours of labour. And without it we should risk an international competition in longer hours, which as the British Minister of Labour, Sir Arthur Steel Maitland, said in the House of Commons would be as great a danger as a competition in armaments. While we may be anxious to hasten we need not be impatient. The machinery of Part XIII of the Treaty has proved to be almost uncannily perfect. But it does not operate in a vacuum. It has to function in the world as it is with all kinds of traditions and suspicions that predate it. The essence of the new system is mutual confidence, for without it there can be no effective collaboration. Machinery can be built, but confidence and collaboration cannot be imposed. They are growths, not constructions. We can be optimistic because there are signs that that growth is taking place, that old traditions of isolation are fading and new habits of collaboration are taking their place.

III. *The function of the International Labour Organization in the League of Nations.*

Last year I ventured to point out that the success of the International Labour Organization should not be judged solely by the number of conventions negotiated and ratifications obtained. I discussed in some detail the indirect results of its existence in the stimulation of national and international organization, and in the experiments which it has made in new diplomatic procedure by the abandonment of

the rule of unanimity, the introduction of unsigned conventions, the establishment of a direct constitutional relation between the Conference and the national parliaments, and the basic contribution of the Organization to the cause of peace.[1]

I would like to-day to carry the discussion a little further and to consider the rôle which is, and which may be, played by the Organization in and as part of the group of new international institutions. As I said above, the Organization does not work in a vacuum. It works in a real world. But in its early years its problems were largely its own. Now it is not quite the same. As the activities of the Organization have extended and as the League's activities have likewise widened, the points at which these activities meet have multiplied until they have become a line of contact, or, if not a line, an area in which the tracing of a frontier may give rise to discussion, and possibly (since it is a well-known characteristic of frontiers) to dispute.

It would take far too long to discuss in detail all the questions in which the League and the Organization now have a joint interest, and in which they both have an activity from their own particular angle. It is interesting, however, to note that this growing interpenetration of activities means that we are getting a new international machine, for which perhaps in time we shall have to find a new name. In other words whereas previously we had the League and the Labour Organization each with a separate and rather distant sphere of activity (with only certain rare administrative bonds between them of purely domestic interest) they now in certain spheres have a kind of collective entity, and in those

[1] *Vide* 'Current Progress of International Labour Legislation' in *The Problems of Peace*, 1927.

spheres the action of one may considerably affect the other. And since the structure of the two institutions is different, interaction of this kind may lead to new constitutional tendencies.

A brief consideration of the real significance of the League will show that this kind of evolution was inherent in it from its origin. We perhaps too often think of the League as an organization to prevent war. The truth is that the League was born in a violent anti-war reaction. It was also needed as a convenient body to which to hand over certain involved problems of the peace. But it is neither in the idea of a League to prevent war, nor a League to execute the Peace Treaties, nor a League to foster international collaboration [1] that we find the real historical genesis of the League and the real necessity for its creation. Reaction against war may be, as it has been in the past, a very transitory thing. The execution of the Peace Treaties could have been secured by *ad hoc* machinery, as was in fact done in many respects through the Council of Ambassadors. And the fostering of international collaboration is a vague foundation on which to build unless there is a new and definite necessity for it. The League, whatever its fortuitous form and the immediate reasons for its creation, fortunately corresponds to a more definite necessity.

Its roots are to be found more deeply in the world's industrial development than in its emotional reaction after the war. The situation in 1914 was that modern industrialism had forced the great Powers into a struggle for economic self-sufficiency which, as industrialism continued its development, could only have been ultimately successful within a political

[1] See Professor Rappard's theory of the Three Leagues in 'The League of Nations as a Historical Fact', *The Problems of Peace*, 1927.

State coextensive with the world itself.[1] The war broke down a number of these big units. The German Empire lost its colonies, the Austrian Empire disappeared, the Turkish Empire was left with a bare foothold in Europe, and the Russian Empire lost large portions of its periphery. Out of the fragments the Peace Treaties created a number of new States. But the economic realities remained the same. Industrial and agricultural districts could no more be moved than scattered races could be gathered together. New political frontiers were drawn which of necessity corresponded very much less to economic realities than did the old. And since it is unthinkable to suppose that any of the smaller Powers could consciously set out on a policy of achievement of economic self-sufficiency, it is clear that some form of organic collaboration would have been an inevitable corollary of the new political dispersion. We may take it then that the League represents a natural step in the world's evolution, and that its real function is to be the instrument through which man's intelligence may attempt to secure the orderly exploitation of the world's resources in the interests of humanity as a whole.

This wider conception of the League's *raison d'être* is daily becoming more clearly recognized, and its implications lead us directly to the idea of a much closer relationship between international labour problems and the general work of the League than has hitherto been envisaged. The League's early pre-occupation with disarmament led it to discuss security. The discussion of security led to the problem of arbitration and we got the famous Trilogy of the Protocol. But it was a perception of the wider problem which led M. Politis to write:

[1] See *The World after the Peace Conference*, by Professor Toynbee.

'La célèbre trilogie du protocole de Genève est devenue une tetralogie. Les trois termes: arbitrage, securité, désarmement en eut été completés par un quatrième qui a le pas sur les autres; la coordination de la vie internationale sur la base de la grande loi de l'interdépendance économique des peuples.'[1]

If this definition of the world problem be correct, and few I think will dispute it (however slowly we may have approached its solution), it is not difficult to see how fundamentally the work of the League and the Labour Organization must touch. M. Politis' tetrology becomes in fact a pentalogy: arbitration, security, disarmament, economic organization, conditions of labour. For as the Economic Conference itself has shown, the industrial aspects of economic problems are all-important, and the success of any efforts at economic organization is dependent on the solution of industrial problems which are equally world-wide in their scope.

It may of course be objected that this conception of the League's activities corresponds more than ever to that much criticized and unacceptable monster 'a super-State'. This is not the place, nor would there be the time for a discussion of what the League is, or may become legally. But the facile criticism of calling it a super-State does no more than confuse the issue. Apart from the argument that a super-State is a contradiction in terms, it must be remembered that States themselves are evoluting. Modern legislation is taking on a new character. Laws previously decreed that the citizen should do or should not do certain things: now the great mass of modern legislation decrees that things shall be done *for* the citizen; he is maintained when he is out of work,

[1] 'La Nouvelle Politique internationale', Article in *L'Esprit international*, Janvier, 1927.

cared for when he is sick, and so on. But modern legislation has another, and a related characteristic, and that is that it can only be made effective by the free and constant collaboration of the citizens to whom it applies. In other words, government is to an increasing degree becoming guidance and leadership. And internationally that is precisely the kind of government which the world is learning to accept from the League.

Now when Government ceases to command and seeks consent and co-operation, it is of necessity brought into more direct contact with the interests affected. On questions of technical legislation, and a more complex civilization is necessarily a more technical one, it needs professional as well as political support. In this evolution of government Parliament is beginning to exert little more than a veto, little more than the power of saying 'yes' or 'no'. Most technical legislation is worked out between the administration and the organized interests concerned. For if their substantial agreement is not secured the effective application of the law becomes almost impossible.

Since this is the process which is being followed to an increasing degree in almost all countries we might have expected to see it formally adopted in the constitutions of the new international organizations. But though it is adopted in practice, nationally, it has as yet scarcely any formal constitutional sanction. Moreover, in the transaction of international, or more correctly inter-state, affairs there was, pre-League, no such practice. State dealt with State, through a special machinery designed for that purpose alone, and through that channel passed all inter-State affairs. It was natural therefore that the League Organization should have conformed to this tradition. A daring innovation was,

however, inaugurated in the case of the International Labour Organization where direct representation was given not only to Governments but to the interests directly affected, namely, employers and workers. As the League began to experience the complexities of its task it began to feel the need for some similar contact with the interests directly concerned in the questions which it had under discussion. The experience of the International Labour Organization showed that such representation of interests was possible and useful. But to look for national representation of those interests was unpractical: they were too numerous, and the resulting conferences or committees would have been too unwieldy. It was to the International Labour Organization then that the League turned for the nomination of a few representatives who could authoritatively claim to represent internationally some world wide interest. The first example was the request of the League to the Governing Body of the International Labour Office to nominate three workers and three employers to the Preparatory Commission on Disarmament, and later, similar action was taken as regards the preparatory Committee of the Economic Conference.[1] In other cases the International Labour Office has served merely as the intermediary, as, for example, where it was asked to secure the presence of a representative of officers of the mercantile marine to assist a Committee of the Transit Organization dealing with the Lighting and Buoyage of Coasts. Other examples could be given,[2]

[1] The Assembly has since decided that a permanent Committee, composed in the same way as the Preparatory Committee, including representatives nominated by the Governing Body, should form part of the new Economic Organization.

[2] The same principle was followed in the case of the Conference on the Simplification of Customs Formalities at which the International Chamber of Commerce was invited to be represented.

but enough has been said to indicate a tendency of the League to adapt itself in this direction.

It would be impossible to exaggerate the importance of this development. I have not time to examine it here, but it means that the world is slowly changing from a collection of units called States, having only state contacts through a single channel for all questions, into a collection of interests each having its own international contacts and cohesion through the League. The fragile threads, too easily drawn into a state of tension, between Foreign Office and Foreign Office, are being replaced by the interknitting of administrations and interests into bonds so broad that in the future it may be impossible to strain them seriously. All I wish to point out here, however, is that there has been a development in the methods of the League in this direction, and that it is impossible not to admit that the existence and experience of the International Labour Organization has contributed considerably to it.

There is, however, another feature of the relationship between the International Labour Organization and the League to which I would like to draw attention. The organic connexion between them is growing closer. Representatives of the International Labour Office sit on a number of League Committees, on the Committee on Women and Children, on the Mandates Commission, on the Committee on Intellectual Co-operation and others, and the Director of the International Labour Office sits in the Council when questions of common interest to the International Labour Organization and the League are under discussion. And, as we have seen, the International Labour Office acts as the channel through which a number of organized international interests can secure representation in League activities. The International

Labour Office is thus as it were a gateway through which certain interests can approach and secure a hearing before the high international organs which are part of the League's machinery.

We have also seen that the League is a necessary instrument for dealing with the problems arising out of a new geographical distribution of political power, and that it is still in form a purely interstate organ. Though the representation of interests has begun, it exists only in experimental form and in the subordinate organizations. The Council and the Assembly remain purely governmental. And being purely governmental they are naturally cautious and conservative.

They inherit inevitably the old traditions of foreign affairs and high policy. Acute questions may need international treatment; there may be tacit agreement that they should be discussed, that the only hope of their solution is international discussion, but it may be impossible to find a country willing to take the responsibility of bringing them before the League. The League has many successes to its credit. Thorny problems have been solved by it with surprising ease. But it has often been very difficult to get the problem introduced for solution.

The same difficulty does not exist in the case of the International Labour Organization. The representation of workers and employers, on a status of equality with Governments, not in any advisory body, but in the Conference itself, which is the supreme authority in the Organization, makes it easy for such problems to be raised. And once they have been raised in an official international organization it is far easier for them to pass into the League where alone perhaps they can receive their solution. It will be easier still as the frontiers of the League and the Labour Organization

coincide over a greater length and as their interpenetration goes deeper. A few examples will show how far initiatives in the Labour Conference have already had useful sequels in the activities of the League.

I do not claim that without the International Labour Organization these questions would never have been treated by the League, nor that their initiation in the International Labour Organization entitles it to the credit for their solution. I am only concerned to point to the utility of a kind of vestibule to which entrance is freer and less formal than it is to the solemn halls of the League itself. You know the physico-chemical state known as supersaturation, a solution which will crystallize immediately if only crystallization is started: if a minute crystal is dropped into it the whole solution crystallizes almost instantaneously. Many political questions are like that, but there is a tradition against dropping in the crystal for fear the liquid would splash. It is regarded as an operation which at the best is ill-mannered, if not dangerous. But in the International Labour Conference non-government delegates will carelessly throw in a handful. And if a little splashing results experience has proved that though there may be a little alarm no one is much worse off. It by no means follows, of course, that the same experiment might be so safely attempted in the League, but it is useful to the League that it can be carried out in a sister organization.

Let me give you a few examples in which it has taken place. Let us take first the constitutional problem of the Membership of the League. The transformation of the League from a League of victorious Allies and neutrals into a League which embraces also the vanquished was as important as the coming into force of the Covenant. The violent reactions in the First Assembly when such a transformation was even alluded

to were a sufficient indication of how difficult and delicate that evolution promised to be. But the International Labour Organization admitted Germany and Austria to Membership in 1919, and certainly the smooth experience of German collaboration in that body helped to remove a portion of the apprehensions which existed as regards her admission to the League. And in the interval the new international order was morally strengthened by the participation of Germany in certain of its humanitarian activities.

Political difficulties may be expected as regards the full and immediate entry of certain non-League States into the League. It may be that the Labour Organization may again be a useful half-way house in view of its 'non-political' character and the special moral appeal of its efforts. There was at one time a possibility of participation by the United States and it may recur. Other examples are Turkey and Mexico which have recently sent observers to the International Labour Conference. The transformation of an 'observer' into a delegate is a small step and political problems are more often solved by small steps than by flying leaps.

The utility of what I have called a half-way house to the League is equally manifest in the case of political differences which may lead a State to cease its active participation in the League itself or withdraw from it. The Argentine Republic has declined to participate in the League proper (though it has not resigned its Membership) but it participates in the Labour Organization, and even occupies a seat on the Governing Body. It thus continues a real and active association with one institution at Geneva, and the danger of a purely theoretical relation devoid of all personal contact, which would almost inevitably atrophy and definitely break, is avoided. Spain and Brazil, although they have given notice to terminate

their Membership of the League, have announced that they will remain in the Labour Organization, and for the same reason their decision is to be welcomed, and the utility of such a possibility would seem to be beyond question.

But it is not only as regards constitutional questions that the greater freedom of the International Labour Organization has been effective. It has also taken initiatives in other directions, and even in the case of thorny political problems non-government delegates to the Labour Conference have not hesitated to 'mettre les pieds dans le plat'.

It was in the Labour Organization that the forbidden word 'reparations' (tacitly but none the less effectively forbidden as a topic for League discussion) was first mentioned. And not only were reparations mentioned but certain fundamental aspects of the problem were discussed at length, both in the Governing Body and in the Conference. The question it is true did not go to the League, but the Taboo was raised. The doorway to the League was, as it were, unlatched, and perhaps—there can be no certainty in political analysis—that fact may have influenced the settlement outside the League which rapidly followed.

Let me give you another example where the result is less speculative. It was at Washington in 1919 that in the midst of a somewhat dull discussion on Unemployment the Italian Workers' Delegate suddenly startled the Conference with a vehement plea for the distribution of raw materials under international control. Only a few months later the Governing Body, on the proposal of an Employers' representative, ordered the International Labour Office to make an inquiry into the whole question of Production and all the factors affecting it. In 1922 the Conference had before it a voluminous report on all the aspects of the Unemployment

problem and a Workers' delegate proposed the convocation of an international Conference *which should comprise qualified representatives of all the important organized economic factors: commerce, industry, agriculture, labour and consumption.* If it were not for the date I might be paraphrasing the Council proceedings of December 1925, when it was decided to set up the preparatory Committee for the Economic Conference, to be composed, *in part from persons of experience and industry, commerce, and agriculture, in part from persons of scientific qualifications as economists, in part from persons who can express the workers' and consumers' points of view.* The similarity in these two texts makes it impossible to reject the conclusion that the series of demands for international economic action in the Labour Conference did much to prepare the way for and hasten the coming of the World Economic Conference of 1927. And when we remember the hesitations and difficulties which the Assembly and the Council both experienced before agreement was reached, it seems equally likely that if the question had not first been ventilated in the Labour Conference attempts to raise it in the Assembly might have been futile.

The importance of the existence of a sort of half-way house between the League and the non-League world is obvious. But what is more important is that the Labour Organization provides also an approach for the problems which must be brought into the League if the League is to come into its full inheritance of responsibility.

I have tried to talk about some of the problems of the International Labour Organization. I have been led to talk a good deal about the League because the main problem as I see it is the interaction of the League and the Labour Organization in the growth of a new international order

in which the world's resources will cease to be the prey of national ambitions and jealousies and become a general heritage to be exploited for the benefit of civilization as a whole. Inter-State political problems are being dissociated into the industrial and economic realities which underlie them. The treatment of their separate elements in collaboration with the interests they affect is creating a multiplicity of new international bonds. To each, as it were, corresponds its own 'League', the close neighbour of its fellow, the whole integrating into the general League. Where we had the League and the Labour Organization operating in far-separated fields we are getting a mosaic of a complete pattern. The Labour Organization, the League and its technical organizations are growing into an international 'government', which 'governs' by initiating collaboration and evoking consent. In that evolution the International Labour Organization will perhaps lose something of its novelty, but it need lose nothing of its identity nor of its utility.

CHAPTER III

INTERNATIONAL LAW AND THE PERMANENT COURT

Mr. A. P. Fachiri:

THE Permanent Court of International Justice is the first institution of its kind to be set up and to function—it is a new phenomenon in the realm of international relations and international law. In saying this, I am not forgetting previous efforts, some abortive, but others successful, to create tribunals for the purpose of deciding disputes between States. Men of enlightenment and goodwill conceived the idea of effecting the peaceful settlement of such disputes by means of an impartial authority from the earliest times. The ancient Greeks had their courts of arbitration and the Middle Ages supply, in addition to interesting and grandiose schemes, practical instances of the solution of international differences by means of arbitral awards, usually by a Pope or other potentate supposed by the parties to be disinterested. During more recent times the idea and practice of arbitration grew and developed by leaps and bounds. Between 1798 and 1899 there were no less than 156 cases submitted to various mixed commissions and other arbitral bodies, some of which, like the *Alabama* case, involved questions of great importance and have become *causes célèbres* in international law. This long process of thought and experience found common expression in the Hague Conventions of 1899 and 1907 whereby the Permanent Court of Arbitration was established and organized —a noteworthy and valuable achievement which nothing could be further from my mind than to belittle—and between

1899 and the outbreak of the Great War fifteen cases were submitted to and decided by that Court, whilst rather more than twice as many cases were referred to other tribunals.

You may ask why I have referred to this long and varied history of international arbitration, and how I reconcile it with my assertion that the Permanent Court of International Justice is something new? I have referred to this history—however briefly and inadequately—because it seems to me important to point out that although, as I maintain, the Court is new it is not a mere innovation, unrelated to the past, or the fruit of abstract theory. It has its roots in human nature and the reason of things. It embodies the aspirations and needs of civilized society, which men have striven to satisfy by a series of experiments and expedients stretching far into the past, and together with the new characteristics to which I shall refer it retains also many features borrowed from the past. The Court is the last stage of an evolutionary process—or rather I should say the latest stage, for nothing is final or perfect where the works of man are concerned.

In what respects then is the Permanent Court of International Justice new? My answer, in one sentence, is this: The Court is the first international tribunal that is:

1. strictly judicial in its nature,
2. composed of professional Judges appointed in advance and exercising their functions in a permanent manner, and
3. worldwide in its sphere of action.

I do not say that none of these features has been possessed by earlier international tribunals, but I do submit that they have never before been embodied all together in one Court. The Permament Court of Arbitration is in a sense judicial in character (though not to the same extent as the Court of

International Justice) and it is worldwide in its sphere of action, but it entirely lacks the second characteristic of permanent professional Judges appointed in advance. That interesting, but unsuccessful experiment, the Central American Court of Justice, possessed the second attribute, but lacked the third. It was essentially a local institution, confined in its field of activity to a small group of minor Powers.

What is the constitution of this new Court? I do not propose to attempt a detailed exposition of the Court's organization and jurisdiction, but I shall endeavour, so far as I am able, to give a general idea of the Court before passing to consider its work and rôle in the field of international law.

It is a platitude (but no less true) that the Court is the offspring of the war—that, or rather the fear and horror aroused by it, was the driving motive which impelled the nations to provide this method for settling future difficulties. But although the war was its father the League of Nations, if I may so express it, was its mother. The League and the League alone, made it possible to give material and organic existence to the institution which the experience of the war made the world determined to set up. Previous attempts at establishing an international court of *justice*—and notably that of the Second Hague Conference—had always broken down over the question of the method of appointing the Judges. From the nature of the case three things have to be reconciled:

1. a reasonably small number of Judges,
2. the claim of the great Powers to individual representation—a claim based on political realities, and
3. the claim of the other Powers to be treated on a footing of equality with the great Powers—a claim based on international law.

The problem of satisfying and combining these three conditions had hitherto proved insoluble, and so far as one can see there was no way out before the League of Nations came into existence. But the constitution of the League provided the key to the puzzle. Let the Judges be elected simultaneously by the Council, containing the great Powers, and by the Assembly, containing all States. In this way the two conditions—recognition of political facts and of international law—are satisfied. It is not to be forgotten that it was an American—that great lawyer and statesman Mr. Elihu Root —who hit upon this brilliant idea, and one may, perhaps, be permitted to observe in passing that this being, as it appears to be, the only solution of the problem of constituting a World Court, there is no practical possibility of establishing another Court, apart from the League of Nations.

The Court consists of eleven Judges and four deputy-Judges, elected in the way I have indicated for nine years, and eligible for re-election. They are irremovable, except by unanimous decision of their colleagues. Except for the President, who is elected by his brethren, they need not reside at The Hague, but there is a fixed session, in June every year, at which they assemble as a matter of course, and extraordinary sessions can be summoned at any time by the President for the consideration of urgent cases. In practice no difficulty has been experienced in collecting for this purpose the quorum of Judges, made up if need be by one or more deputy-Judges, within a very short period. Thus it is clear that the Court is truly permanent, fixed in its composition, always available. The Judges are all professional jurists; some hold or have held high judicial office in their own countries, others are professors of international law, all are men of outstanding character and distinction, and of world-

wide reputation. In accordance with the injunction contained in the Statute (Article 9) that the whole body should represent the main forms of civilization and the principal legal systems of the world the Judges are of the widest diversity of race and language. At the present time the different nationalities are represented as follows:

> American, Brazilian, British, Cuban, Danish, Dutch, French, Italian, Japanese, Spanish, Swiss. These are Judges. The following are deputy-Judges: Chinese, Norwegian, Roumanian, Serbian.

Each of the members of the Court knows either French or English (the majority are familiar with both) and the proceedings are, like those of the League of Nations, normally conducted in the two languages.

The Court is open to all States, including the British Dominions and India, and only to States. This in brief is the effect of Articles 34 and 35 of the Statute as supplemented by the Council's resolution of 17 May 1922. All States throughout the world can have recourse to it, whether Members of the League or not, on a footing of perfect equality, but on the other hand no person or entity other than a State can ever appear as a party before the Court. The Court is world-wide and strictly 'international'—it has to do with States, all States, and nothing but States.

The jurisdiction of the Court is of two kinds—contentious and advisory. The former is the branch which bulked large throughout the deliberations of the bodies which prepared and drew up the Statute, and it holds the foremost place both in the popular mind (in so far as it concerns itself with the subject at all), and in that of publicists and international lawyers, and although personally I think there has been a tendency to underestimate the relative importance of the

advisory jurisdiction there can, of course, be no question that the Court's jurisdiction in contentious matters is the crucial point in its constitution. You are all familiar with the great controversy for and against so called 'compulsory jurisdiction'. I will not attempt to trace its varying fortunes in connexion with the preparation of the Statute. The battle in support of compulsory jurisdiction was gallantly fought, but the odds—consisting as they did, not of preponderating numbers, but of the wrecking power of a small minority or even a single opposing vote—were too strong and the fight was lost. The Court's jurisdiction in the words of Article 36 of the Statute 'comprises all cases which the parties refer to it and all matters specially provided for in treaties and conventions in force'. Under this provision jurisdiction is limited to such disputes as the States concerned agree together to submit to the Court after they have arisen, and to disputes the submission of which to the Court is provided for once for all by treaties and conventions—be they arbitration treaties, political treaties, trade agreements, or conventions of any sort. But although general compulsory jurisdiction thus forms no part of the Court's powers its adherents secured the insertion in the Statute of the 'Optional Clause' whereby any State can by a special declaration, at any time, recognize the jurisdiction of the Court as compulsory *ipso facto* and without special agreement in relation to any other State accepting the same obligation, in all or any of certain specified classes of legal disputes. This clause has up to the present time been adopted in a binding manner by twenty States, and it has the great merit of enabling those Powers which are not yet prepared to commit themselves to such an extent to adhere to it later. It does not seem too much to hope that in the course of time more and more States will accept the

compulsory jurisdiction, until at some future date, be it more or less remote, the whole family of nations will come within the scope of this provision.

The advisory jurisdiction of the Court arises out of the Covenant of the League, in Article 14 of which it is provided that 'the Court may give an advisory opinion upon any dispute or question referred to it by the Council or by the Assembly'. This function of the Court has proved extremely valuable and important, and I shall have a good deal to say about it later on. For the moment I am merely concerned to refer to it as one of the characteristic features of the institution of which I am trying to give a sketch.

There is one more point in the Court's constitution to which I desire to draw your attention, namely, the character of its decisions. By Article 38 of the Statute the Court is bound to apply:

1. International conventions establishing rules expressly recognized by the contesting States;
2. International custom, as evidence of a general practice accepted as law;
3. The general principles of law as recognized by civilized nations;
4. Subject to the provisions of Article 59, judicial decisions and the teachings of the most highly qualified publicists of the various nations as subsidiary means for the determination of the rules of law.

It is this provision more than any other single clause in the Statute, that determines the Court's judicial nature, and substantiates the claim I ventured to make at the beginning of my remarks, that the Court is judicial in a stricter sense than any previous international tribunal. It is bound, just like a municipal court, to administer law. True this law may

be less clearly defined, more difficult to ascertain, more fluid, than national law, but the classification contained in Article 38 is none the less a comprehensive and practical guide. Where there is a convention or treaty binding upon the parties the matter is clear—that must be applied. Failing this, recourse is had to custom, always the best evidence of uncodified international law. If no custom applicable to the case can be found the Court is to apply the 'general principles of law recognized by civilized nations.' This, be it noted, does not mean the general principles of *international* law but those principles derived from the common experience and wisdom of mankind which are part of the legal heritage of all civilized countries. It is a very wide and far-reaching category capable of covering I will not say all, but certainly a large proportion, of the questions which one can imagine as being likely to come before the Court. The special importance of the fourth and last class of rules lies in its recognition of the Court's function in creating precedents and building up a body of 'judge made' law. It is the inherent tendency of every judicial body to follow and apply its own decisions. To Anglo-Saxons this method of developing the law and adapting it to changing circumstances, naturally appeals as superior to any other, and it would appear to have especial value in the field of international law where 'legislation'—if I may be permitted an inaccurate but convenient expression —can only be effected by universal consent. It will be one of the Court's chief contributions to create precedents in international law—a process which has already begun. With regard to the saving words in Article 38: 'subject to the provisions of Article 59' it may be that the intention was to exclude the rigid application of the English practice which makes previous decisions absolutely binding upon Courts of

concurrent jurisdiction. Article 59 of the Statute states that 'the decision of the Court has no binding force except between the parties and in respect of that particular case', but I submit that neither in intention or effect does the proviso in Article 38 impair the right and indeed, speaking generally, the duty of the Court to follow and apply the principles laid down in its own decisions, and thus to build up a body of international case law. I say this with the utmost confidence because the Court itself has already clearly manifested the intention of adopting this course.

I must not leave Article 38 without referring to its last sentence which enables the Court to decide a case *ex aequo et bono*, if the parties agree thereto. This in no way invalidates what I have been saying as to the Court's judicial character. It is meant to safeguard the position in exceptional circumstances—either where after having recourse to all the sources indicated in Article 38 no legal rule or principle can be found applicable to the case (a remote possibility), or where parties submit to the Court a dispute which has no legal character at all or which they do not desire to have settled on legal grounds, a contingency which having regard to the composition of the Bench does not seem likely to arise.

I am not going to touch, even in general terms, the subject of the Court's procedure. Interesting as that topic may be to the professional lawyer it might prove dull to my present audience. Suffice it to say that it has proved adequate and satisfactory in practice. I therefore pass on to consider the place of the Court in the international system of the present day.

The Court is often referred to as the Court of the League of Nations, and this aspect of it is undoubtedly of great importance. Apart from the fact that the Judges are elected by

the two organs representative of the League, the Court stands to the League in certain functional relations. It is, in a sense, the judiciary of that executive and quasi-legislative body. It fits into and completes the great scheme of international organization which the League of Nations represents. For the fifty-five States which, at the present time, constitute the League it occupies a special position and performs special functions. These fall naturally into two parts: the judicial settlement of disputes under the Covenant, and the advisory jurisdiction.

Articles 12, 13, and 15 of the Covenant, as we all know, constitute what may be called a code for the settlement of international disputes. Three alternative methods are prescribed: arbitration, judicial settlement, and inquiry by the Council, which between them cover all disputes without exception. (I say this advisedly because the only qualification made, namely, that the dispute must be one likely to lead to a rupture, cannot operate as an effective condition except by mutual consent.) The Members of the League are pledged to adopt one or other of these methods. Article 13 contains an enumeration of the kinds of disputes which are recognized as generally suitable for submission to the first two methods, and the Permanent Court of International Justice is specificially, though not exclusively, referred to as the authority to which recourse shall be had in such cases. I do not want to be understood as claiming that these provisions confer compulsory jurisdiction on the Court—they do not—but they point the way and lead to the Court in the case of legal disputes. The Court is *prima facie* the natural and proper tribunal for the Members of the League to resort to when they are involved in a dispute of a legal character—as to the interpretation of a treaty, a question of international

law, and so on. I do not put it higher than that. They are always at liberty to resort to a special court of arbitration, and if either party for reasons of its own—good or bad—objects to judicial or arbitral settlement it can compel the adoption of the third alternative—inquiry by the Council—but none the less this Covenant code for the pacific settlement of international disputes does contemplate the Permanent Court of International Justice as one of its instruments. It is only right to observe that up to the present no case (with one possible exception—Judgment No. 3) has been brought before the Court in direct application of Article 13, but in the course of time such cases are bound to occur. In any event, this function of the Court as the tribunal designated by the Covenant for the adjudication of legal disputes is important in itself.

The other function of the Court in relation to the League of Nations is the advisory jurisdiction. This aspect of the Court has given rise to more controversy, perhaps, than any other, but if I may be allowed to express my own opinion, based upon experience of actual cases, it is one of its most valuable and fruitful activities. I have already pointed out that the advisory jurisdiction is based upon the provision of Article 14 of the Covenant that 'the Court may also give an advisory opinion upon any dispute or question referred to it by the Council or the Assembly'. That sentence constitutes the charter of the Court's advisory powers, and, short as it is, it contains the key to the subject. The Council and the Assembly can consult the Court upon any *dispute* or upon any *question*. This distinction is of great importance and has enabled the advisory jurisdiction to be used with remarkable flexibility and effectiveness. The Council and the Assembly of the League were obviously not designed, nor are they

naturally suited, for the consideration of purely legal issues. When a legal question arises for decision—whether as part of an international dispute or in a more abstract form—it is highly convenient to be able to refer it to an authority like the Court. This has been found to be so almost from the beginning of the League's existence, and frequent occasions have arisen for the exercise of this power since then. Indeed, both expediency and principle recommend it. From the one point of view it is a convenient way of passing on responsibility, from the other it conforms to the highest conceptions of justice and impartiality. I do not pretend that recourse has been had to the Court on every occasion when it might. The very weight attaching to the Court's pronouncements has sometimes led States to shun so decisive a ruling. But considering the short period in question—the Court has only been at work for five years—the number of occasions upon which it has been consulted is remarkable. Both 'questions' and 'disputes' have been referred. The former have all related to the interpretation of the Labour Clauses of the Peace Treaties and constitute the subject-matter of four cases. (Advisory Opinions Nos. 1, 2, 3, and 13). Of 'disputes' no less than nine have already been submitted to the Court. So far it has always been the Council which has sought the Court's advice, but there is no reason why the Assembly should not do so, particularly in regard to 'questions'. In fact, this procedure is essentially appropriate for deciding the great constitutional issues which arise from time to time in the internal economy of the League.

It is important to realize that in giving its advisory opinions the Court acts judicially, in the strictest sense. The procedure gives the fullest opportunity to all interests of being heard, and—what is perhaps still more important—the Court

is bound by Article 38 of the Statute, with which I have already dealt, and, if anything, more strictly bound than in contentious cases, because the exceptional power to proceed *ex aequo et bono* has no application in an advisory case. In other words, the advisory opinions are based exclusively on considerations of law. The only difference between an advisory opinion and a judgment is in their effect—a judgment is binding upon the parties, whereas an advisory opinion is not, theoretically, binding at all. There are no 'parties' in the technical sense, and the consulting body—Council or Assembly—is under no *legal* obligation to follow the Court's advice. This is the basis of the criticism that has been levelled against this branch of the Court's jurisdiction, but I venture to submit that, strong as it may seem in theory, in actual fact there is very little in it. These opinions, rendered in the manner I have stated, carry with them the whole weight of the Court's authority. They are, in substance, whatever they may be in theory, judicial pronouncements by a tribunal whose competence and impartiality are universally recognized. That being so, it is impossible either for the States affected, or the organs of the League, to disregard the opinions. Their moral authority is too great. And it is to be observed that the view I have expressed does not rest on speculation; as a matter of fact there has so far been no single instance of a refusal to respect and carry out the advisory opinions.

Before leaving this subject I should like to draw your attention to the way in which the Court's advisory jurisdiction supplements its contentious jurisdiction and fits into the scheme of the Covenant for the settlement of international disputes. I have already referred to Articles 12 to 15 of the Covenant and dwelt upon the rôle of the Court as the designated tribunal for the judicial settlement of legal disputes

between Members of the League, but I also pointed out how recourse to it can be avoided by either or both parties insisting on referring their difference to the Council. When this occurs with a dispute of a legal character experience has shown that there is a natural tendency to make use of the advisory jurisdiction. The Council finding itself confronted with issues of law feels the pressure of the motives in favour of passing those issues on to the Court to which I have alluded, and indeed the parties themselves sometimes anticipate matters by putting forward a proposal in this sense. One of the most recent cases before the Court offers an illustration of the latter course. A dispute having arisen between Great Britain, France, and Italy, on the one hand, and Roumania, on the other, with regard to the extent of the powers of the European Commission of the Danube, the matter was brought before the Transit Commission of the League without a settlement resulting. The British Government maintained that the dispute was subject to the contentious jurisdiction of the Court under Article 376 of the Treaty of Versailles, but Roumania denied this, and all the parties agreed to ask the Council to refer the dispute itself to the Court for an advisory opinion on the merits. Another instance which illustrates the point I am dealing with is supplied by one of the earliest as well as the most important of the cases dealt with by the Court, namely, the *Tunis and Morocco Nationality Decrees* (Advisory Opinion No. 4). This was a dispute between Great Britain and France which the latter refused to submit to any kind of arbitration. The British Government referred the matter to the Council under Article 15 of the Covenant and the French Government took the objection permitted by para. 8 of that Article, namely, that the dispute arose out of a matter which by international

law was solely within their domestic jurisdiction. But before ever the Council took up the matter, the two Governments came to an agreement requesting the Council to refer this preliminary point to the Court. This was done, and the matter was argued in every respect as if it had been a contentious case. The Court decided in favour of Great Britain and the original dispute was thereafter settled by agreement between the parties.

I have mentioned these two cases because they are particularly interesting examples of the use to which the advisory powers can be put to supplement and replace the Court's contentious jurisdiction, but they do not by any means exhaust the subject. In four other cases, at least (Advisory Opinions Nos. 8, 9, 10, 12) international disputes of what I may call a general character have been referred to the Court by the Council, and settled on the basis of the Court's opinion. I exclude from this enumeration one case in which the Court declined to give an opinion (No. 5) and three cases which, although they arose out of disputes of an international character, seem to me to fall into a rather special category—namely Nos. 6 and 7, relating to Minorities, and No. 11, relating to the Polish Postal Service at Danzig.

Before leaving the subject of advisory opinions I think I ought to mention the question of the necessity or otherwise for unanimity on the part of the Council in referring a matter to the Court. You will readily appreciate that this may be highly important in connexion with the system I have been explaining. And yet I confess that I am reluctant to touch upon this point. It is, to my mind, an extremely difficult and doubtful question. The best exposition of the problem that I know of is an article in the *British Year Book of International Law* for 1926 by Dr. McNair and I would invite any

member of my audience who is sufficiently interested to examine what he writes there. Personally I have to admit that I have held vacillating views, and even yet have not come to a definite conclusion. The question has not, so far, arisen for decision. If and when it does perhaps the Council will agree to refer it to the Court.

I have now given you an outline—imperfect, I fear, and limited by the time at my disposal—of the Court's functions as the 'judiciary' of the League of Nations. But I should be sorry indeed if anything I have said could give rise to the impression that the Court is, in any sense, subservient to the League. Nothing could be further from the truth. It is independent of interference or pressure by the League to a greater extent and in a different sense than even the most independent national judiciary. The English Judges (than whom I venture to claim none are more independent) can be removed by Address of both Houses of Parliament, and our Courts, like all municipal tribunals are, of course, subject to and bound by the legislation of the Sovereign Power. But the League has, as I have explained, no power to remove the Judges of the Permanent Court of International Justice during their term of office, nor can the League alter the constitution or powers of the Court, or bind it by any resolution applicable *proprio vigore*. The Court is constituted by its Statute, which is an international agreement operative by virtue of the adhesion of individual States, and which cannot be altered except by unanimous consent of the signatory parties. The Court is an independent institution resting on an international instrument separate and distinct from the Covenant.

This brings me to the last division of my remarks: the position and work of the Court as the 'World Court'. The

international system of the present day is so deeply and widely affected, so penetrated, by the League of Nations that no hard and fast barrier can be erected between the two aspects of the Court as 'League Court' and 'World Court', but the aim of my concluding observations is to consider the Court in relation to the family of nations and international law in general.

I have already pointed out that the Court is open to all States. Its contentious jurisdiction, which I shall not weary you by describing again, permits of reference to it of all international disputes. From one standpoint, therefore—and this is the angle from which I now invite you to look—the Court is wider than, and distinct from, the League.

The trend of international law and international relations since the Great War has been towards definition and systematization on a treaty basis. The number and scope of treaties and conventions of all kinds that have been entered into is absolutely unprecedented. Besides the Peace Treaties, upon which the present international order rests, innumerable subjects have been dealt with or codified by conventions, negotiated under the auspices of the League, but not exclusively confined to the Member States, subjects covering the widest range, political, technical, humanitarian. In some of these agreements entirely new conceptions previously unknown to international law find expression, as in the Mandates. In others, ideas formerly adumbrated in a rudimentary way are developed and systematized, as in the provisions for the protection of Minorities. Again, matters hitherto regarded as exclusively internal are subjected to international regulation, e. g. the conditions of Labour. On the other hand, subjects long recognized as of international concern are treated with a universality and wealth of detail never before

attempted—as in the case of transit and communications and aerial navigation.

This enumeration is by no means exhaustive, but it suffices to illustrate the tendency I am speaking of and to show that a large and increasing part of international law and international relations is being covered by treaty. It is obvious that when subjects such as the ones I have referred to are dealt with conventionally it is advisable, not to say essential, that machinery should be set up for the purpose of settling disputes between the contracting parties as to the interpretation and application of the treaty, otherwise the laborious definition of mutual rights and obligations, often of a highly complicated and technical character, may well have been achieved in vain. In most of these treaties the Permanent Court of International Justice is the tribunal designated for this purpose, and in the great majority of cases recourse to it is granted at the instance of either party to a dispute, i.e. jurisdiction is 'compulsory'. The movement towards treaty regulation of specific subjects of international concern therefore touches the Court very closely. Differences between States on a large number of matters tend to arise within the four corners of some treaty or convention raising a question of interpretation or application which, if agreement cannot be reached between the parties, is referred to the Court.

But in addition to the treaties and conventions of the sort referred to another category of treaty has become increasingly common in the last few years—namely, treaties of friendship, conciliation, and arbitration, providing, in general, for the settlement of disputes of all kinds. This is, indeed, only another branch of the same movement or tendency, which has its origin in the League of Nations and the in-

tense desire of the world at large to avoid another war. The most famous of this group of agreements are the Locarno treaties, which deal comprehensively with the security problems of a particular group of powers, but there are a large number of others, usually of a simpler character, providing for the pacific settlement of disputes between two signatory Powers. In most, if not all, of these treaties recourse is given to the International Court. The terms vary, some confer compulsory jurisdiction of the widest possible character, others contain certain restrictions and reservations, but the cumulative effect of these treaties is extremely significant, and of great importance from the point of view of the Court, as you will appreciate when I say that not less than forty have been concluded between 1922 and 1926 and are now actually in force. Taking the two categories of treaties—those providing for the substantive regulation of particular subjects and those primarily concerned with creating machinery for the settlement of disputes as and when they arise—there are at the present time something like 150 treaties and conventions which confer jurisdiction on the Permanent Court of International Justice. This large body of international instruments gives the measure of the provision, to which I drew attention at an earlier stage, that the jurisdiction of the Court comprises 'all matters specially provided for in treaties and conventions in force'.

You will appreciate that there is a clear distinction between the two classes of treaties of which I have been speaking as regards their effect upon the proceedings of the Court. Broadly speaking, the one class merely opens the door to the Court—it enables the dispute to be brought before it, but does not provide the *criteria* for its decision; on the other hand, the treaties which themselves regulate specific matters

perform a double function: they not only give the Court jurisdiction, but provide the law to be applied.

Turning now to the actual work of the Court, it is interesting to observe how the situation I have been endeavouring in outline to describe is reflected in the cases so far brought before and decided by it. From the time when it commenced its judicial duties in the summer of 1922 until the commencement of the present session the Court has delivered seven Judgments and thirteen Advisory Opinions. One of the Judgments related merely to a question as to the interpretation of a previous Judgment, so that there were really nineteen cases. Now whilst there is no case of recourse to the Court under an arbitration convention—it is too early for the series of treaties of this kind to which I referred to have had this result—in seventeen of these cases the question at issue turned upon treaty provisions of one sort or another and in the other two upon decisions of the Ambassador's Conference which were analogous to a treaty. I do not say that points of general international law never arose—one or two important questions of this kind have been considered—but they were incidental. The decision primarily depended in every instance upon the interpretation or effect of an international instrument. Perhaps it will not be without interest if I briefly indicate the treaties dealt with: In four cases (Advisory Opinions 1, 2, 3, and 13) the questions related to the interpretation of the Labour Clauses of the Peace Treaties. In one case, the *Tunis and Morocco Nationality Decrees* to which I have referred (Advisory Opinion No. 4), the issue was as to the meaning of a vital provision of the Covenant. One case (Judgment No. 1 the *s/s Wimbledon*) turned upon the interpretation of the transit and communications part of the Treaty of Versailles. Two cases (Advisory

Opinions Nos. 6 and 7) related to a Minorities Treaty. One case depended upon the construction of a Mandate (Judgment No. 2), another on the Treaty of Neuilly (Judgment No. 3), and three on the Treaty, or accompanying agreements, of Lausanne (Advisory Opinions Nos. 10 and 12 and Judgment No. 5). One case depended partly on the Treaty of Dorpat between Russia and Finland and the effect of a declaration made in connexion with it, and partly on the interpretation of the provisions of the Covenant relating to the giving of advisory opinions (Advisory Opinion No. 5). One case turned upon the Convention of Geneva between Germany and Poland (Judgment No. 6), and another on that Convention and the Treaty of Versailles (Judgment No. 7), and one on certain agreements between Poland and the Free City of Danzig (Advisory Opinion No. 11). So much for the subject-matter of the cases, advisory as well as contentious. If we examine the contentious cases brought before the Court the result is equally significant. In only one case—Judgment No. 3 relating to the interpretation of the Treaty of Neuilly —was there a *compromis*, or special agreement for submission *ad hoc*. In each of the other contentious cases the jurisdiction of the Court was founded upon a pre-existing treaty, not, as I have indicated, an arbitration convention, but a treaty of the other class of which I spoke, namely, a treaty containing substantive rules with recourse to the Court in case of disputes as to interpretation—and the jurisdiction was always invoked unilaterally by one side to the dispute.

In these circumstances it is not surprising that the most substantial part of the Court's contribution to international law has, so far, consisted in the construction of treaties and the principles laid down in that connexion. These principles bear the stamp not only of close legal reasoning, but also

of a sound common sense which carries conviction and inspires confidence. Among the most important general questions of construction which have arisen is that of the admissibility of the discussions and preparatory work of conferences for the purpose of interpreting the final text of a treaty. This is a question which English lawyers (and Americans as well) approach from a different standpoint than Continental jurists —we regard it as fundamental that the intention of the parties in the case of all sorts of contracts should be sought only in the text which embodies their final agreement, whereas they are inclined to range far afield in search of the true meaning of the instrument. The reasons in favour of the former rule appear to us overwhelming in the case of international agreements which obtain their force from ratification by the sovereign authority, which is often unaware of the implications that may be drawn from the discussions of the plenipotentiaries. It is, therefore, satisfactory to the English mind that the Court has inclined to a strict view of the rules of construction. It has not, indeed, decided that 'travaux préparatoires' must be excluded in all circumstances —the occasion for such a decision has not yet arisen—but in the Mosul case (Advisory Opinion No. 12) it rejected the admissibility of declarations made in the course of the Lausanne Conference for the purpose of interpreting the final text of an article of the Treaty which was clear in itself.

I have now come to an end of my survey of the Court; I am fully conscious of the inadequacy of my treatment of the subject, which can only be regarded as a rough sketch, but I have detained you long enough and I feared to weary you with too much detail. You will notice that I have stopped short of the present session of the Court, and before concluding I may perhaps be permitted to add a very few words

on this subject. The Court began its 12th session in June with the heaviest list it has ever had. This comprised five cases, namely, (1) a suit by Belgium against China challenging the right of the latter country to terminate and depart from the Sino-Belgian Treaty—one of the so-called 'unequal treaties'; (2) a suit between Germany and Poland in regard to the Chorzow factory in Upper Silesia; (3) the *Lotus* case; (4) a suit between Greece and Great Britain relating to the Mavrommatis concessions in Palestine; and (5) a request for advisory opinions as to the jurisdiction of the European Commission of the Danube. The first of these cases has been postponed by common consent. The Court has just delivered judgment in the second, overruling a preliminary objection by Poland to its jurisdiction, and it is at the present moment considering the third. This—the *Lotus* case—constitutes, by the way, a striking exception to what I stated above as to the nature of the questions that have come before the Court. It arose, as you probably know, out of a collision on the high seas between a French and a Turkish vessel and the trial by the Turkish Courts of the officer in charge of the former. After diplomatic protests and negotiations a special agreement was drawn up by the two Governments for reference of the dispute to the Court, and the questions involved are pure questions of international law—important and interesting ones. The character of the Court's latest list shows the growth of its activity and affords good ground for confidence in its future.

CHAPTER IV

THE SETTLEMENT OF NON-JUSTICIABLE DISPUTES THROUGH THE LEAGUE

Mr. G. Abraham:

WHEN I was asked to give a lecture at the Geneva Institute of International Relations on the settlement of non-justiciable disputes through the League, I was a little puzzled by and suspicious of the title of the lecture allotted to me, and I was not sure that I knew what the word justiciable meant. So I went to the Library and looked this word up in Murray's Dictionary. I found that the word justiciable means: amenable to a jurisdiction; liable to be tried in a Court of Justice; subject to jurisdiction. I thought it might be a good thing to see whether the Covenant and the Statutes of the Permanent Court of International Justice threw any further light on this word. Article 13 of the Covenant says:

'Disputes as to the interpretation of a treaty as to any question of international law, as to the existence of any fact which, if established, would constitute a breach of any international obligation, or as to the extent and nature of the reparation to be made for any such breach are declared to be among those which are generally suitable for submission to arbitration or judicial settlement.'

Article 36 of the Statute of the Permanent Court of Justice refers to legal disputes concerning:

(*a*) the interpretation of a treaty;
(*b*) any question of international law;
(*c*) the existence of any fact which, if established, would constitute a breach of an international obligation;

(*d*) the nature or extent of the reparation to be made for the breach of an international obligation.

I felt I was getting on, or at any rate getting deeper; but as a layman in legal matters, several years of experience in Geneva have made me suspicious of thinking that one can call things by their names and leave it at that. So I thought I would consult some legal commentator, and found the following written by a distinguished authority. He states on the subject of arbitration:

'Moreover, even if States were prepared to go to the utmost lengths in asking obligatory arbitration for all properly justiciable disputes, it has not been found possible to devise a concrete and practical definition of a justiciable dispute which States, in general, could be expected to rely on as sufficient to prevent them from having, under a general application of compulsory arbitration, to arbitrate disputes which they ought not to be absolutely required to arbitrate.

'In practice, attempts to define what is a justiciable dispute tend to result in an enumeration of certain classes of disputes which are *prima facie* justiciable. These classes themselves are vague, however carefully they may be described, and doubt is apt to prevail as to what exactly they may involve.'

After that I gave it up, and decided to leave it to you to judge what was justiciable or not justiciable. As, however, I still had to give a lecture I thought I would describe to you the action taken by the Council in the disputes with which it has dealt in the past. But, unfortunately for me, I had the curiosity to inquire whether last year you had had a lecture on the political aspects of the League's work, and I found to my horror that my distinguished late chief, Monsieur Mantoux, lectured to you last year on the action of the Council of the League in international disputes. I read his lecture in this

book, which is the collection of lectures delivered to you last year, and decided to retire from any competition with him. He is one of the ablest lecturers I have ever heard, and if you have not already read his lecture you will undoubtedly do so.

I shall therefore confine myself to a certain number of general remarks which, you will be happy to hear, will be short; but I shall be prepared to answer any questions you may wish to put on the work done in the past by the League in the political field.

In its first years, the League has dealt with some dozen or more disputes, which have more or less seriously affected relations of two or more of its members. Most of these disputes have been directly or indirectly a consequence of the Great War and of the peace treaties which followed. Many of them have arisen from doubt as to the exact position of the new frontiers resulting from the peace treaties. Most of these questions have been questions of fact, but not questions of fact based necessarily on a legal document, and therefore not necessarily questions suitable for submission to a court of law. In some cases legal points have arisen in the course of their examination, and have been referred for an advisory opinion to the Court at the Hague; but most of the frontier questions have called for decisions on broad common-sense principles as to where it would be best to fix the frontier. I shall refer to a certain aspect of this problem later.

Since the League has been functioning, a new development in the system of settling disputes between nations has come prominently to the fore. In 1922, the third Assembly of the League passed a resolution recommending the Members of the League, subject to the rights and obligations mentioned in Article 15 of the Covenant, to conclude conventions

with the object of laying their disputes before conciliation commissions appointed by themselves. The Assembly expressed the opinion that apart from other means placed at its disposal by the Covenant to ensure the maintenance of peace the Council might, if necessary, have recourse to the services of such conciliation commissions; it might invite the parties concerned to bring their dispute before the commission; or, it might refer to the commission any dispute submitted to it by either party in virtue of Article 15 of the Covenant. The Assembly expressed the hope that the competence of the conciliation commissions would extend to the greatest possible number of disputes. A great many States have followed the advice given them, and in very many cases the treaties and conventions adopted between States have provided not only for compulsory arbitration on matters of a legal nature but for compulsory conciliation on matters which, for fear there may be some lawyers amongst you, I will call of a less legal nature. The best-known example is the recent group of treaties known as the Treaties of Locarno. Although it is formally stated in Article 7 of the Treaty of Mutual Guarantee between Germany and Belgium, France, Italy, and Great Britain that 'the present treaty, which is designed to ensure the maintenance of peace and is in conformity with the Covenant of the League of Nations, shall not be interpreted as restricting the duty of the League to take whatever action may be deemed wise and effectual to safeguard the peace of the world', nevertheless, speaking generally, the parties to these Treaties have agreed to submit all questions upon which they may differ to arbitration or conciliation. You will remember that after the Corfu incident a Committee of Jurists was set up to answer legal questions regarding the correct interpretation of the Covenant. In a

letter dated 2 February 1926, regarding the report of this Committee, the Swiss Government expressed the opinion that

'the Members of the League are free to submit and reinforce by separate conventions the perfectly general obligations which they have contracted in regard to the peaceable settlement of their disputes as Members of the League. Agreements of this sort can only consolidate the fundamental principle of the League, namely the pacific settlement of international disputes. They constitute an advance on the Covenant itself. These conventions, whether they deal with conciliation procedure, with arbitration or with judicial procedure, constitute in relation to the corresponding principles in the League Covenant a *lex specialis*. This, in conformity with the generally accepted rule, takes precedence of the Covenant, the latter being regarded as a *lex generalis*. Whenever treaties of this kind exist, therefore, appeals to the Council in conformity with Article 15 ought only to be made in the last resort, that is to say when the particular procedure agreed upon has not led to the settlement of the dispute. It would be contrary to the principle of the respect for treaties as proclaimed in the preamble of the Covenant of the League ("in order . . . by . . . a scrupulous respect of all treaty obligations in the dealings of organized peoples with one another") that one of the contracting parties should wish to submit a dispute immediately to the Council in spite of existing conventions. It would seem that the Council should first recall the applicant State to a sense of the respect due to its treaty engagements.'

I have quoted all these long and perhaps rather dry documents with a view to showing the evolution which appears to be taking place in the settlement of political disputes. It has always been accepted that the League was not intended to replace diplomacy. It would seem to be the trend of international thought that the League should not replace direct

conciliation between States through directly appointed conciliators. It would seem that the trend of modern thought is to commit States which have disputes with other States to submit them to a succession of procedures gradually increasing in solemnity and seriousness: first diplomacy, then conciliation, then, if those have failed, appeal to the League. By all these means time is gained, hot blood gets cooler and wise counsels have time to take the upper hand. I do not think it need be assumed that all this is a process of camouflage or of sidetracking of the League. Recently a Committee of the Council was set up, consisting of Lord Cecil, M. de Brouckère, and M. Titulesco, which had to examine Article 11. You will remember that Article 11 consists of two paragraphs; the first states that

'any threat of war, whether immediately affecting the Members of the League or not, is hereby declared a matter of concern to the whole League, and the League shall take any action that may be deemed wise and effectual to safeguard the peace of nations';

the second paragraph declares it to be

'the friendly right of each Member of the League to bring to the attention of the Assembly or of the Council any circumstance whatever affecting international relations which threatens to disturb international peace or the good understanding between nations upon which peace depends.'

The Committee had to make recommendations regarding the action that might be deemed wise and effectual for the purpose of carrying into effect the provisions of that article. In the introduction to its examination of measures which the Council might consider suitable the Committee said that these measures were only intended as examples, and that it did not wish to underrate or dispute the value of any which

it might not have mentioned. It pointed out the impossibility of drawing up in advance any rigid classification of the infinite variety of events which occur in international political life. Nor was it possible by resolutions, recommendations, or suggestions to prescribe limits to the extensive rights which the League held in virtue of its essential duty, that of effectually safeguarding the peace of nations.

Any of us can think of disputes not suitable to the process of arbitration or submission to a court of law. The system of conciliation is more flexible. But remember that even there the subject-matter for submission to conciliation is chosen by the disputants who have to come to an agreement, and they are not bound to follow the advice of the conciliators, who are individuals committing only themselves. There are many questions most difficult to solve, such as those—and they may be very numerous—arising from a reasonable or unreasonable belief in what is called national dignity. Party politics intervene, Governments are unwilling to accept a compromise for fear of being held up by their political opponents as having humiliated the nation. In such cases it is very often in the general interest, and even in the particular interest of the two States involved, to see to it that their dispute comes before the Council. It is much easier for the Government to accept what at the moment appears like a surrender if it can throw the blame off its own shoulders on to those of the Council. I will give you an instance. In 1923, a matter came to the Council concerning a small district on the frontier between Poland and Czechoslovakia. The two countries had been disputing its possession for a long time; in both countries it had become an element in party politics and neither Government could give way. It was poisoning their relations and preventing the conclusion of a treaty of

commerce. And yet, the territory in dispute was extremely small and relatively unimportant. The Council gave a decision; the parties accepted it without necessarily being satisfied; and since then their relations have been good. No other organization, I believe, could have effected such a settlement.

This case also furnishes an example of the usefulness of advisory opinions delivered by the Permanent Court of International Justice at the Council's request. This particular dispute was not suitable for submission direct to the Court by the parties concerned, but certain elements of the case were of a legal nature. The Council accordingly, with the agreement of the parties, asked the Court for an advisory opinion on the points involved. The Court gave advice which was accepted by all without demur, and which greatly facilitated a general settlement, the attainment of which had baffled the efforts of the Conference of Ambassadors and of the States themselves, who had every interest and desire to establish friendly relations. In the Mosul dispute also an advisory opinion greatly facilitated a solution both for the Council, and eventually for the parties concerned.

I think it may be said that this collaboration between the political organs of the League and the Permanent Court of International Justice has greatly strengthened the authority of both. Either of them alone would be unable to do the work which had to be done. In collaboration they are very strong and their joint authority has overcome all difficulties which have so far presented themselves.

Then again, in this wicked world, there may occur cases when one State appears to be bullying another, or at any rate the weaker State may think it is being bullied. Very often the threat to lay the matter before the League is sufficient to produce a change of attitude in the other State.

One must always remember that the League is not a super-State. Its only power is to make recommendations. If the disputants accept these recommendations, they become decisions. Not being a super-State, but a political conciliator with great prestige, the Council obviously has to make recommendations which it can reasonably hope to see carried out. The spirit of compromise is always present, and a Council recommendation does not necessarily mean finality, but rather a step in the right direction. In addition, the Council has often endeavoured, sometimes on the invitation of the parties themselves, to discover the fundamental causes of the dispute and to suggest permanent remedies. An instance occurred two years ago in the Greco-Bulgarian dispute. Various constructive measures have been taken to prevent the recurrence of trouble on this frontier. Precedents are continually being created in methods of approach to the dispute, in the variety of questions dealt with and in the variety of solutions given. The whole atmosphere is one of elasticity; it is impossible to foresee the future. One of the most interesting of these precedents was made at the time of the settlement of the Greco-Bulgarian dispute, when the Council accepted the opinion of the Committee of the Council, which stated in its report:

'We believe that all the members of the Council will share our view in favour of the broad principle that where territory is violated without sufficient cause reparation is due, even if at the time of the occurrence it was believed by the party committing the act of violation that circumstances justified the action. We believe this to be a principle which all members of the League of Nations will wish to uphold and which both Bulgaria and Greece would wish to support.'

In accepting the Council's recommendation the Greek

Government expressed its conviction that this decision would constitute a precedent which in future every one would have to follow.

As Sir Austen Chamberlain has said recently in answer to a question in the House of Commons:

'The Council is doing its work; it is doing it with an ever increasing authority and certainty. The Council and the League are very young Bodies. They have got their way to make. Wisely handled, prudently conducted, and with some good fortune, which we may hope may be granted to us, I, who try never to use exaggerated language, and I, who am not given to loose expressions without meaning, I say that my experience as Foreign Minister and as an attendant at the Council of the League has added to my confidence that the League will grow in power, strength and moral influence under the conditions that I have mentioned. But do not let the honourable gentleman run away with the idea that because there is a League and a Council it is therefore the business of the Council to interfere here, there and everywhere as soon as they see any sign of disagreement, or that it is the business of every Government, when they have a difference which they cannot at once settle, with another, to invoke at once the League and carry their question before this great Council of the League. That is not my conception of the League. It is not my conception of the purpose for which it was created, or the methods by which you can conserve its strength and its usefulness. It is the business of two Governments which have a difference to settle it between themselves. The League is a last resort, something better than war, as a law court is better than resort to personal violence. But it does not mean that two nations which have a dispute are at once to go before the League, any more than the existence of law courts means that if two men have a dispute they are to take it straight into court, or some one is to bring it there against the will of them both before they have had time or have made the effort which is incumbent upon them to settle it among themselves.'

SECTION II

THE LEAGUE IN ACTION

CHAPTER V

ECONOMIC POLICY : THE WAY TO PEACE AND PROSPERITY

Sir Arthur Salter:

LAST year I had the privilege of speaking before this Institute on a subject which is very similar to that on which I have to speak to-day. I attempted then to give a general sketch of the main lines of economic development since the war up to the time at which the Economic Conference was being prepared. That Conference has now been held, and in any review of the situation at this moment we have the advantage of this great inquiry into the economic condition of the world. I shall have, to some extent, to cover again the ground which I covered last year, but I shall do so in a rapid summary, and with a very different emphasis. I shall place much greater stress upon the new features which have been disclosed in the course of the last year, and in particular those to which the Economic Conference attached most importance.

Rapidly to resume what I said last year, I will remind you that thirteen years ago this month the economic structure and system of the world had to readjust itself suddenly and violently to the entirely new and very different needs of a world war. A little less than nine years ago, it had no less suddenly, and with perhaps even more difficulty, to readjust itself to the new needs of a world turning again to the occupations of peace. At that time, at the end of 1918, we

were involved in a medley and chaos of troubles and difficulties. There was, of course, the great material destruction of the war. There was, as I shall emphasize a little later, the much more important dislocation and disorganization caused by the war. We had at that time temporary difficulties mixed up with and indistinguishable from permanent difficulties. We had technical difficulties mixed up with and indistinguishable from political difficulties. There were for the moment shortages of raw material, of transport by land and by sea, and shortages of food-stuffs. In addition we had the great complicating factor of public and private debts, debts external and debts internal. In that confusion it was, as I say, difficult to distinguish and pick out the factors that were of real and enduring importance from those which were trivial and transitory; and in the years succeeding the war it was extraordinarily difficult for any one to give anything like a measured and balanced picture of what was actually the condition of the world.

Little by little, these two different kinds of trouble began to sort themselves out. Shortages of food-stuffs soon disappeared. Fairly soon there were no shortages of raw material. The land transport system of the world was repaired and reconstituted. As to sea transport, the deficiency of mercantile shipping transformed itself only too completely into a surplus. People began to have a juster idea of the real importance and the real effect of the changes caused by the war, which were very much misunderstood and misconceived in the earlier years. More important, political financial difficulties were got out of the way, at least for the time being. The last of those major difficulties, the Reparation question, was at any rate removed from the forefront of world attention for a considerable time by the Dawes

Committee and the subsequent London Conference. Little by little there began to stand out, as the greatest single impediment to the recovery of the world, the disorganization of public finances and national currencies. It was on that subject, therefore, that I placed the greatest emphasis in speaking to you last year. I explained the way in which the world, in attempting to re-knit the snapped threads of international trade, to re-establish old connexions, to reopen old channels of trade, found that its greatest difficulty, and for a time an almost insuperable difficulty, was the fact that the disorganization of national currencies had to a large extent deprived the world of the normal medium of exchange which alone stands between the world and the old primitive and wasteful system of barter. I explained the way in which, though naturally and inevitably, I think, currencies had been depreciated as a result of the system of war finance; and how, while actual advantages were for a time attained by that process, trouble was always bound to happen in the long run. For a time, as I explained, currency depreciation is a stimulant, for a time it is a useful purge; but finally it is always a poison. When you start depreciating your national currency you get, for a moment, a temporary competitive advantage over other countries whose currency is remaining comparatively stable. Again, the system of war finance has probably left a great dead-weight burden of national debt, internal debt, weighing upon the country. The process of currency depreciation operates naturally and automatically to lighten the weight of that burden. If a man has a right to be paid in respect of a loan he made to the state during the war, let us say, a million francs a year, and if the franc is depreciated so that it only becomes worth, in terms of goods and services, one-fifth of what it was worth at the time when

he made the loan, then, if one puts aside all questions of justice, it is an extremely convenient thing for the State and for the public finances of the State to have to pay what is, in effect, only one-fifth of the return for that debt which they originally contracted to pay. Therefore, as I say, in the original stage, currency depreciation is both a stimulant and a purge; but in its later stages it always becomes a poison. By the very fact that the medium in which your loan, either to the State or to private individuals, is losing its value, it necessarily takes away the motive to save and to lend, and when the point of utter disorganization of the value of the national currency is reached, as it was in many countries in Europe, then, as I say, you are thrust back very nearly to the old, enormously wasteful system of barter. That is the position which was being rapidly reached in Europe, but fortunately the governments pulled themselves together and proceeded to re-establish their finances and to stabilize their currencies, and fortunately at the present time that major impediment to the recovery of the world for several years after the end of the war has ceased to be a primary factor in our problem. We are left, as I shall show in a moment, with a second major impediment to recovery in trade barriers; but to that I will come a little later in my address.

I want, in concluding this first rapid summary, to emphasize the main theme which last year I was putting before you, namely, that as a factor in the later economic condition of the world the actual material destruction of the war was much less important than the dislocation and disorganization. As I pointed out then, the level of prosperity in the world as a whole at any moment depends upon three factors—the resources of nature, man's power to exploit them, and a system which enables the products of one person and of one

country to be exchanged easily, without friction and without undue cost, with the products of another person or of another country. And much the most important feature in the economic condition of the world at present is this, that whereas the resources of nature are not diminished and are adequate, that whereas man's power to exploit them is not diminished but is increased and is adequate to a much higher condition of world prosperity than we enjoy, we have as regards the third of those factors an enormous number of wasteful and destructive impediments standing between the producers of the different articles and their consumers. That, as we shall see, is the outstanding feature of the world's present economic condition. This view, which I put before you last year, that the material destruction of the war was much less important in its enduring effects than the dislocation and disorganization, has since been authoritatively endorsed at the Economic Conference which was held here in Geneva in May of this year.

The short sketch I have given you, very barely, very inadequately, brings you up to the position in which the nations of the world, here in Geneva in 1925, were considering whether the time was ripe for a great World Economic Conference. Those of us who had had in mind the desirability of a world economic conference of this kind for some years had clearly recognized the very great difficulties involved, and the very great importance of the Conference meeting only when the conditions for success were suitable. You cannot have a great world conference of this kind, on whatever subject, and have it fail without a much more than merely negative result. Every time such a conference fails, you have made it much more difficult for another conference on the same subject, or indeed on any other subject, to be

successful. You are drawing upon the limited resources of faith, hope, and charity on which all international conferences depend. It was extremely important, therefore, before the League of Nations decided to hold an economic conference on a range of subjects so difficult in character, that it should be quite sure that so far as was humanly possible all the conditions for success had been attained.

Now, the main conditions for determining the choice of the time for that conference were not very difficult to realize. In the first place, we all felt, I think, that we must have got more or less to the end, or within sight of the end, of the first great stage in post-war recovery, namely, the stabilization of the public finances and of the currencies of the world before we proceeded to the second stage of dealing with economic problems. A new conference could do very little to help to stabilize currency. A conference had done what a conference could do in Brussels in 1920. Little by little, in the years that succeeded, the principles of the Brussels Conference had been applied in practice, sometimes by international action, as through the League in Austria and Hungary, sometimes by national action as in other countries of Europe, and in 1925 there was nothing more that an international conference could do. But if we had had a conference to deal, not with financial problems, but with economic problems at a time when currency fluctuations were the most important feature in the general world situation, we could not have hoped to be successful. Let me just illustrate the reason for that. As we shall see in a moment, as every one knows who has read the account of the Economic Conference, the most important economic problem that has to be dealt with is the problem of high and changing tariffs and trade barriers.

Now, you cannot hope to discuss a problem of that kind when the first thing in everybody's mind is the fact or the fear of currency depreciation. Supposing here in Switzerland you had every one expecting that next week the French franc will fall in value 30 per cent.—fortunately we have not, but there was a time when one had—how can you expect the customs authorities of Switzerland to discuss the question either of reducing or of stabilizing their customs tariffs, when they have in their minds the fear that at any moment there may be a sudden fall in the external value of the franc, a fall which may give a temporary competitive advantage to the French manufacturer as against the Swiss manufacturer? It was therefore, as I say, at once useless and undesirable to have an economic conference at a time when currency depreciation was a major factor in the world situation.

In the second place, it was also clearly undesirable that those mixed financial, economic, and political problems which occupied the forefront of attention in the years immediately after the war, such as Reparations and Allied debts, should still be in that position. So long as that was the case you could not have a conference in which those political problems were not dominating, were not complicating every technical problem. You could not compose a conference of technicians as against politicians, and without such a technical composition of your conference you could not hope to get the kind of world review, the kind of cool, deliberate, long-sighted recommendations which it was the essential task of an Economic Conference to give.

In the third place, it was, of course, essential, if you were to have any chance of success in an economic conference, that the general political atmosphere should be favourable.

I think the mention of these three conditions will have

made it clear to you why it was that it was in the autumn of 1925 that the Assembly of the League of Nations launched the proposal for a great World Economic Conference. In 1925, while all currencies had not been stabilized, there had been a *de facto* stability at least sufficient to make currency depreciation no longer the primary factor, no longer, indeed, a primary factor in the international trade of the world. For over a year, all currencies had in fact been either stable or had fluctuated within very narrow limits. By September 1925, therefore, the first of the three conditions was satisfied. At the same date, the Dawes Committee and the London Conference had removed the great complicating problem of Reparations from the forefront of public attention, at least for a considerable period; and Allied debt settlements, too, had also made considerable progress and looked like reaching a solution. The second condition, therefore, was also reasonably satisfied. As to the third condition, a suitable political atmosphere, you will remember the very great improvement in the general political situation that took place in 1925—an improvement which shortly afterwards was to find its expression in Locarno, but which was already evident to any one who understood the political situation at the time when the Economic Conference was decided upon in September 1925.

It was under those conditions that the preparations for the Conference began; but quite apart from the three conditions which I have mentioned, which were relevant to the choice of time for a conference, it was also clear to those who understood what was the essential part of an economic conference, that much more was required. It was necessary not only to choose the time well: it was necessary to prepare both the atmosphere and all the conditions of the Conference.

I suppose there never has been a conference in the history of the world which has been prepared quite as elaborately, for so long a period, and on so elaborate a method as the Economic Conference of this year. Probably you all know something of the extent and volume of the actual documents and studies which were conducted and prepared before the Conference was held. I do not propose to weary you by giving you a summary or an account of those documents, but I want to point out to you, what is very frequently ignored, that the preparation that took place over those eighteen months was not wholly—perhaps I might even say not mainly —the preparation of actual information, investigation, and inquiry. That was what was being done explicitly and openly; but one of the main objects of that period, one of the main objects of that preparation of documents, was to interest and to secure the support of the world, to create the atmosphere without which an economic conference could not be successful. We quite deliberately arranged for the preparation of that vast number of documents and studies not here in Geneva through the permanent officials of the League; we quite deliberately invited the collaboration of many distinguished experts throughout the world, and of great national and international organizations. We did this partly because we could get from those persons and from those organizations information and expert knowledge which could not have been available to us here, but we did it equally because the fact of collaborating with us in that task of preparation meant that those thousands of individuals, those many organizations, developed an active interest and finally gave us an active and real support which would otherwise have been impossible.

We therefore had behind us, when we met in May of this year, not only a basis of knowledge which was without pre-

cedent in any previous economic inquiry, but we had with us also an enormous mass of active and influential support. We had a public opinion, both in the widest and most general sense and also in the more specialized sense as meaning the opinion of those directly interested and those with expert knowledge, ready to help and desiring success.

Now, what were the main results arising from this grand inquest into the economic conditions of the world? The main were, I think, four. The first was this: a definite picture of what is the present level of prosperity in the world. I ventured to say last year, as a personal belief, that the total wealth and income and consumption in the world as a whole was as great as before the war. At that time that was regarded as a rather surprising statement. I am glad to say that the first definite conclusion of the Economic Conference entirely confirmed that statement. The Report of the Conference states quite definitely that production and consumption, both in total and per head of the world's population, are greater than before the war. Therefore, when we are talking about the post-war economic recovery, let us have no kind of illusion, that if we are taking the world as a whole, the world as a whole is still only slowly and painfully trying to get back to the place where it was before the war took place. On the contrary, the world as a whole is definitely richer and better off than before the war. Let me illustrate that by one or two actual figures which appeared in the documents of the Conference. Between 1913 and 1925 the population of the world increased by 5 per cent. In the same period, the production of raw materials and of food-stuffs increased by approximately 17 per cent. Now one may make a safe inference and say that the actual consumption of manufactured goods was definitely greater in the world as a whole, not only absolutely but per

head of the population, than before the war, which is only another way of saying that the average standard of living is, on the whole, higher than before the war. That was the first big fact that stood out from the inquiries of the Conference.

The second, however, was this, that if the world as a whole is better off, there has been a very great redistribution of prosperity. Europe is, relatively to the rest of the world, much poorer than she was before the war. She is absolutely, perhaps, if you take all classes and ignore the differences between classes and between countries inside Europe, about as well off as before the war; but in relation to other continents she is very definitely and very decisively worse off. That was the second big fact that was brought out clearly by the Conference.

The third is this, that depression is concentrated to a very special extent on a certain number of great international industries—coal, iron and steel, ship-building, textiles, and one or two others. For the depression in these industries there are certain very special causes, some of which are peculiar to the particular industries, some of which are more general.

Lastly—and it is the fourth major fact which the Conference brought out—apart from special causes and special difficulties, by far the greatest single cause of general application, and one essentially remediable in character, is the increase of trade barriers as compared with the pre-war position. I will come in a moment to these barriers, but before I do so I would like to refer to some of the other causes which are inflicting depression upon some of those great international industries to which I referred, so that I may not give the impression that there is nothing wrong in the world except increased trade barriers.

If you think what happened to some of those great industries to which I have referred during the war and since the war, you will see that it was inevitable that there should be very great trouble when the war was over. Before the war you had had a relatively stable system of interchange, of international trade, between all countries. Tariffs, sometimes high, sometimes low, were relatively stable. They were like natural impediments, like mountains or seas, to which the course of trade or production could adjust itself and had adjusted itself. You knew where you were; you knew what obstacles you had to overcome. Consequently, with the increased size of the natural unit of production, with every increase in the facilities for communication and transport, you had had developing for a century or so a constantly more elaborate, more intricate, more extensive system of world interchange. To an increasing extent every country tended to make the things for which it was naturally best suited. To an increasing extent, each country tended to look for its market not only among its own people but among all those throughout the world who desired to use the products of its manufacture. Then, quite suddenly, came the war. You had the blockade; you had all the conditions which severed and interrupted that free interchange. What happened? Countries which had been accustomed to buy articles of necessity from another country found that those articles could not be obtained. They proceeded to develop in their own countries the plant required to make them. Countries which were engaged in war found that it was of vital importance to increase the plant of industries definitely working for war needs—iron and steel in particular. The consequence was that when the war was over you had an entirely different distribution of the fixed capital of the plant of industry from

that which you had before the war, and which corresponded to the normal system of a free interchange of products between one country and another.

Other causes contributed to the same result. You had had, for example, even before the war, the process of industrialization of countries and of continents which, half a century ago or less, were simply consumers of western manufactures. You had, for example, the development of factories in China and Japan and India. That process has continued. It would have continued, it would have increased even apart from the war. The severance of international communications caused by the war naturally accelerated and augmented that process. Those are the main causes, perhaps, together with the currency depreciation to which I have referred and the trade barriers to which I am about to refer, which caused a special depression in some of those great industrial industries.

I come now to the greatest of all the impediments—the existence of increased trade barriers. Last year I said that we made a great mistake if we thought that currency depreciation was merely a kind of gratuitious vice on the part of finance ministers. There were certain very strong reasons for starting upon currency inflation, fatal as were the final results, and there were certain temporary advantages. It is the same with the increase of trade barriers which we have seen since the war. When the war stopped suddenly on 11 November 1918, and the blockades came to an end, industries which had grown up under the war conditions were suddenly deprived of the shelter of the protective tariff of the submarine or of the blockades; they were left naked and unprotected very much in the same way as if a country which was highly protectionist, and had developed its industries under the protection of and buttressed behind its high tariffs, quite suddenly abolished

all its tariffs. The most extreme free-trader would admit that the sudden removal of a high tariff in a day would be a very unwise thing to do, that it would have a very great dislocating effect throughout the country's industries, that it would cause enormous unemployment, and so on. What people have not always realized is that the blockades were in effect the highest protective barriers that had ever been imposed, and that when those blockades suddenly ceased you had the same sort of dislocation. It is not wonderful, therefore, that different countries should have felt that they must oppose the effects of the sudden removal of what had been a great protective barrier for their industries by putting up customs tariffs. That was one of the main causes for the increase of trade barriers which we have seen since the war. And in the early stages it was not only a question of customs barriers. Many more extreme methods, more extreme forms of barriers than customs tariffs were imposed. It is one of the things which should, I think, encourage us, that in spite of all the difficulties which we now see around us the movement has been in the right direction. Immediately after the war the obstacle was not customs barriers merely, but general prohibitions of the passage of all articles, subject only to special exceptions. After a time the rule became that there was general admission of goods subject to special prohibitions. Then, instead of completely prohibiting the import of certain classes of goods, the tendency was to have definite contingents between one country and another. We have now reached a position where, with comparatively few though not unimportant exceptions, the impediments are expressed in the form of customs tariffs. The difficulty to be overcome is concentrated in the form which on the whole is the least obstructive and awkward to deal with.

So much for the way in which these trade barriers, and in particular increased customs tariffs, came into existence because of the war. What are the actual conditions which the Economic Conference found to be most serious in these trade barriers, and what did the Conference recommend?

The Conference unanimously and categorically declared that in the world as a whole customs tariffs are too high, too complicated, and too frequently changed. The Conference unanimously and categorically recommended that customs tariffs in the world generally should be reduced, simplified, and stabilized.

I recommend you to read in the Report of the Economic Conference at least the first part of the chapter on commerce, where you have the situation, described and the recommendations stated in clear, forcible, and indeed remarkable language. The Conference quite clearly brought out the fact that the general height of customs tariffs is greater than before the war, and that that height was very largely due to temporary causes which have now ceased or are at least diminishing. One of the main reasons why customs tariffs were made so high was that they were intended to serve as a form of protection against currency depreciation. Currency depreciation and fluctuation have now almost ceased, but the effect has lasted longer than the cause. That was one of the reasons why the Conference urged and hoped that tariffs would be reduced.

In the second place, the Conference pointed out that present customs tariffs are hopelessly complicated. The number of specifications in customs tariffs and their diversity mean that quite apart from the prime object and purpose of the tariff there is an unintended and accidental trade barrier which is sometimes as important and as obstructive as the tariff by itself would be.

In the third place, the Conference pointed out that tariffs had become much less stable. This is in some respects perhaps the most serious feature of all, if you think what it means from the point of view of a manufacturer or a merchant depending largely on export trade. When you recall that he cannot know from month to month what is the height of the trade barrier—of the tariff—over which he has to get his goods before he can sell them in a foreign country, you will see that instability can be more harmful than almost any height of tariff. As I said just now, if you have even a high tariff it is like a natural impediment to communications; you know where you are; you can either climb the mountain or pierce through it. If, on the other hand, the tariff is constantly changing, there is nothing to which the economic system of the world can adjust itself. The adjustments never catch up with the changes.

Before the war it was customary to make tariff agreements and to impose tariffs for ten or twelve years, and very frequently an arrangement so made was renewed with very little or no change. Under those conditions the trade of the world could adjust itself, but the position to-day, particularly as a consequence of currency fluctuations, has become disastrously different. One of our experts at the Economic Conference examined 180 commercial treaties which had been made in the last few years, and he found that in all but twenty-seven the treaty was changeable within a year. If you compare that with the pre-war system of at least ten years you will see that we have now a destructive and disastrous element of instability which must at all costs be changed.

The finding of the Economic Conference as to the height, complexity, and instability of tariffs is really the central and crucial part of the Conference's recommendations. I need

not go into the matter in great detail or repeat all the striking facts which were brought out in the Conference, but I will refer to a few of them.

There are 7,000 miles more of customs frontiers than before the war, owing to the different frontiers created by the Peace Treaties. Tariffs are higher than before the war by an amount which varies between country and country, but tends to be something like 30 per cent. The period of tariffs, instead of being ten years or more, tends to be for less than a year.

What is important is to realize that, in the view of this authoritative World Conference, the impediments and handicaps to world trade created by such conditions are far and away the greatest remediable cause of such impoverishment as the world is now suffering from.

What the Conference did in essence was to bring together people who, by their occupation and by their nationality, had been accustomed for years previously to look at the problem of their own national policies, and to get these people to look at the common problem of the whole world from a single and central point of view. We hoped when we arranged the Conference (and we found in practice that our hopes were justified) that when the very people who, in their several countries, faced with the fact that other countries were increasing their tariffs, advised increasing their own tariffs even more, were brought together with their 'opposite numbers' from other countries to consider the world problem they would take a different attitude. They did take a different attitude; they said, 'This thing has gone too far: it must be stopped. This is madness.' We hoped and we found, in this as in so many other cases, that people when they met together would realize that what looked like individual

wisdom was really collective insanity. There are many instances of this fact, but the simplest analogy of which I can think is this. A number of people with deposits in a bank may all know that the bank is perfectly sound unless the depositors behave foolishly. Then some one starts a panic, and there is a run on the bank. Every depositor knows that the wise course is for all to leave their money alone and all will be well. But as an individual he may well say, 'The wise thing may be for us to leave our money in the bank, but if I do that it will not prevent other people from getting their money out, and I shall lose mine; so I had better get mine out first.' They may all do that—knowing it to be collective insanity—and wreck the bank, all losing a part of their money, whereas a common policy would have prevented any loss at all.

That shows how individual wisdom may be collective insanity and is an exact analogy to the question of trade barriers. What we did at Geneva was to get together the people who in their own countries had said, 'As other countries are increasing their tariffs, we had better increase ours', and we found that when they met they said collectively, unanimously, and authoritatively, 'This process has gone too far. We must reverse it; we must go back.'

I have no time to go into the other recommendations of the Conference, and it would only confuse my main theme to do so. I want in conclusion to remind you of the immense importance and significance of a finding of this character by a Conference of this kind. This Conference consisted of nearly 200 members, chosen from every conceivable trade, occupation, or qualification, and representing every shade of responsible opinion, and chosen, with the exception of eleven, by the Governments of the world. It unanimously agreed on

the very striking, decisive, and categorical recommendations to which I have referred, and which you will find set out in the Report of the Conference.

But the Conference, unanimous as it was and influential as it should be, was not a governmental conference with power to bind the Governments. Its recommendations were only a basis for action; they were not action itself. As the Conference itself pointed out in striking and forcible language, the action to be taken in the future depends upon the great public of the world, upon all those who can move and influence action within their own countries.

It is a very great help to all of us who may have been worried as to whether there was anything which we could recommend or advocate or do in our respective countries to help forward the economic recovery of the world to know that here we have a basis of definite policy and definite action. After all, if a conference composed as this Conference was is not right, there is no attaining truth and wisdom in this world. We are as likely to be right about this as we can ever hope to be in any of the affairs of life. We need therefore no longer worry what it is that should be done if the world wishes to improve its economic position. Here it is. This is not all that should be done, but it is the first and most important thing.

When we take the formal, official, measured language of this Report and attempt to see what it really means in human terms, I think we shall realize that all of us have an impetus for personal and individual action to see whether we cannot, each in our own sphere, do something to help forward the adoption and application of the principles and policies which are here recommended.

Take, for example, a simple, formal and cold phrase such

as you find in this Report, that the reduction of trade barriers would mean a substantial improvement in the economic condition of the world. What does that phrase mean? It means in effect that there are millions of people in the world who will unnecessarily suffer poverty, impoverishment, and the degradation and demoralization of unemployment if conditions are not changed, and who are unnecessarily suffering them now. When we realize the actual human and personal import of the recommendations of this Conference, when we realize also that the practical effect of these recommendations depends really on the movement of public opinion, the effective insistence by public opinion throughout the world on the adoption of the recommendations of this Conference, we shall all feel that, each in our own country and in our own centres of influence, we have a way in which we ourselves can contribute towards a future increase in the prosperity and welfare of the world.

Let me add one final word. One thing that underlies the whole of the recommendations of this Conference is that fortunately, though not surprisingly, those principles of policy which tend to the increased prosperity of the world tend also to an increased prospect of maintaining the peace of the world. Whenever, therefore, we are in whatever measure contributing towards the application and adoption of these policies and principles we are first of all helping to increase the standard of living and the prosperity of ourselves and our neighbours, both in our own and in other countries, and we are also at the same time increasing the chances of the maintenance of the peace of the world.

CHAPTER VI

'THE PREPARATION OF THE FIRST GENERAL DISARMAMENT CONFERENCE'

Senor de Madariaga:

THE Chairman has been good enough to remind you—and incidentally to remind me—that I come from Spain. We in Geneva are apt to forget the nation whence we come; we are so busy with the other nations. It is, however, a very welcome reminder. Spain, I like to visualize as an Empire-builder retired from business. There is nothing an Empire-builder retired from business understands better than the psychology of active Empire-builders. I will therefore refrain from entering into the thorny ground covered with so much authority and good sense by the Chairman, and content myself with saying that, as a Spaniard, I understand!

Disarmament is, as you know, the first in chronology and the first in importance of the tasks which the League must carry out if it is to survive. At the outset it may be well to point out, however, that the League differs from the nondescript activities which were carried out in the international world before its inception in one most important respect. Before the League was created there was no universal, impartial, general system for dealing with problems before they had become acute. In one word, there was no preventive treatment; there were only cures. The League has brought to international life method and continuity. We are no longer jumping on the fire to put it out; we are trying to devise methods whereby fires will not flare up. That is the main point. The main characteristic of our organization,

therefore, is that for us a problem is a permanent thing, a daily thing. It is nothing dramatic or sensational. It does not force us to become excited and to mobilize the press on our behalf. We do not get elated because we succeed to-day, or depressed because we fail tomorrow. We just carry on.

Since we are committed to method and continuity, we are committed to the only method which we on earth have the privilege to have—there may be others in Heaven—trial and error. We try, and if we fail we say, 'This is a very good thing; we shall not fail in the same way next time'—though we may fail in a different way. Therefore again we carry on.

It may be interesting to say a word as to why we fail so often in international affairs. There is one point to which I should like to draw your attention at the beginning, reserving for myself the right—as they say in diplomatic circles—of producing an example later. Our first task is to prepare some measure of agreement between the representatives of the nations that are interested in the particular problem being dealt with. After a considerable amount of drafting and redrafting, in order to suit everybody's ideas, not only in diplomacy but—what is far more difficult—in grammar (the grammar of politicians is a very peculiar affair), something is put into black and white. Once that is settled, and the English grammar—or lack thereof—adapted to the French grammar—or excess thereof—we send the result to everybody concerned.

Now, you know that we have fifty-five peoples represented here, not counting one or two outside customers, and some of those live far away. It takes a little time for the documents to reach them, a far longer time for those documents to be read and a long time for them to come back. During this period at least one-third of the Governments concerned have

been knocked out, and when the proposal comes back to Geneva people say they do not agree with it. It is no use explaining that their representative was here and approved of it, and that he was one of the most difficult to please about adjectives. That will not do. The new Government wants an entirely new set of epithets, and so we have to begin all over again. Slowness is therefore inevitable in League work, because the League is a construction four or five pillars of which are always being knocked down.

With this preliminary remark, which I consider indispensable to the understanding of the rest I now enter my subject.

I propose to deal with the general lines of what may be called in a wide sense the preparatory work for an International Conference on Disarmament which, though it is still in the future, I do not consider, speaking in all earnestness and sincerity, as mythical. I will not deal with the special work carried on by the League at the same time as its general work, or refer in detail to the only real diplomatic disarmament conference the League has organized, namely the Conference which took place in this very room in May 1925 with the object of regulating the international trade in arms, munitions, and implements of war. I am, however, tempted to digress a little to tell you that this Conference afforded an example of the fickleness of Governments, as may be shown by referring to one case, that of the delegation from one of the great nations of the world. As I do not wish to be personal, I will describe it vaguely as one of the biggest nations of the world, which is not in Europe and does not belong to the League of Nations. (Laughter.)

The representative of this eminent nation insisted that we ought to have in our Convention some provision for the limitation of the export of gas-warfare material. Other

nations explained that that was neither here nor there, since, if the nations which made that material could go on making it, it was not a great comfort to those who did not make it that the material could not be exported. It was therefore decided to transform this suggestion into a Declaration or Protocol banning from international law and the conscience of nations the use of chemical warfare. In order to please the representative of this big nation, this Protocol was signed by everybody. That nation has refused to ratify it.

I will now return to my general theme. Considering our work from the point of view of procedure, there have been three phases. First of all the disarmament work of the League was entrusted to a Commission of military men, namely the representatives of the general staffs of the nations represented in the Council. We may call this first phase the military and official phase. It lasted a very short time—about nine months —and did not produce much, nor could we expect it to do so in the circumstances.

It was immediately followed, at the suggestion of the First Assembly, by a second phase in which, while the Military Commission remained, the work was entrusted to a more complex body called the Temporary Mixed Commission. This body was civilian and free: civilian in that the great majority of its members (about twenty-two out of thirty) were not military men but politicians and experts in different branches of national and international knowledge, such as economics, finance, and industry; free, in that unlike its predecessor it did not represent the mind of the Governments concerned but only the private views of its members. It was therefore a pioneer body.

Finally we came to the third phase, in which under different names a Commission was set up more like the second

in composition—namely a mixture of civilians and military men with a predominance of the former—but, unlike it, an official body. This is our present phase. We are at present working, therefore, under civilian leadership—political leadership—but we are working with bodies composed of representatives of Governments belonging to the League plus representatives of the U.S.A. I hope that soon representatives of the Soviets will be added, for if they have not been present up till now it has been due merely to their difference with Switzerland, which has now been solved. So much for procedure.

As to method, the history of the preparatory work of disarmament shows at its best—or at its worst, if you like—this method of trial and error which I mentioned a moment ago. We began by tackling the problem direct. One of the English members of the Temporary Mixed Commission, Lord Esher, suggested a disarmament treaty the basis of which would be the apportionment to each nation of a certain number of units of armament, these units to be defined by expert advice. Tentatively Lord Esher suggested for land forces 30,000 men as a unit. That proposal failed on technical grounds. It was found to be impossible to compare 30,000 men on one military system with 30,000 on another system of a different nature. For example, a Swiss soldier, who after a very brief period of instruction remains a soldier in that he has his kit at home, but serves only about fifteen days a year to keep in touch with the military authorities, cannot be compared either with the French soldier who serves eighteen months or with an English soldier who is a specialist, a professional, who serves a certain number of years. Other difficulties of a technical character were put forward against the Esher plan, such as the impossibility of comparing artillery, infantry, and cavalry,

and the numerous nondescript technical people, such as telephonists, which a modern army requires.

There was another direct effort at disarmament in what was called the preparation of a conference for the extension of the Washington principles to non-signatory Powers. This work was typical of the generous feeling prevailing in nations when there is a question of reforming other nations. The Members of the League who had bound themselves at Washington were very anxious that the benefits of Washington should be extended to Members who were not so bound, and earnest efforts were made to that effect. Each of the three nations concerned presented its plan for the extension of the Washington principles. These plans were afterwards combined into one, and a meeting took place in Rome between the naval experts of most of the naval Powers in the League plus the Washington Powers (save America) to try to arrive at some solution.

This second effort towards a solution of the problem of disarmament by direct methods also failed.

Why?

It was soon discovered, by Lord Cecil in particular, that the direct attack on the question of disarmament was bound to fail, because in reality the problem of disarmament rests on a political basis, and as long as the political basis has not been solidly built no structure of disarmament can be erected upon it. The example of the Washington Conference, which was often put forward as an argument against this view, was in reality the best argument for it. You all remember that that Conference succeeded only after political agreements of a far-reaching nature had come about with regard to the problems of the Pacific Ocean.

It was therefore found necessary to explore all these

political questions, and that, so far as League work for disarmament is concerned, marks the beginning of the second phase with regard to method; it ushers in what may be called the indirect or political method of solving the problem. The merit of leadership in this phase belongs, I believe, to Lord—then Lord Robert—Cecil. It was he who presented to the League Assembly the now famous XIVth Resolution, in which the problems of disarmament and security were linked together in a clear way for the first time, though at that time security was known by the name of guarantee. 'There is no disarmament without guarantee: there is no guarantee without disarmament', said Lord Cecil.

Lord Cecil had, as another of his axioms on disarmament, the maxim that disarmament must be general if it was to succeed; all the nations of the world must combine in one convention of disarmament. His French partner, M. de Jouvenel, who had worked with him all through that political period, put forward an amendment to his view. I beg you to notice that at that time Lord Cecil represented in Geneva the view that disarmament must be general and M. de Jouvenel the view that it was possible nevertheless to begin by solving the problem in small groups by what were called special treaties, and that afterwards it would be possible to coalesce these special treaties into an harmonious whole.

The two schools of thought came to an agreement, and as a result a treaty was prepared called the Treaty of Guarantee, which contained three main principles. First of all the nations in the League declared that they would guarantee the peace and safety—or the safety if not the peace—of any nation which was attacked after the Treaty had been carried out. This proviso was incorporated on account of the second principle. The second principle was that the nations which

desired to have this guarantee must disarm according to the principles to be laid down in detail by a disarmament conference.

There was also a third principle, though it was not so apparent as the others. It arose out of the technical difficulties raised by the experts on the question of defining what was meant by an attack or an aggression. The first idea was clear. If an army was found in the territory of another nation, that was the definition of attack. I am again reminded of my country of origin. There is a proverb quoted by Sancho Panza in Don Quixote 'To "What are you doing in my house?" and "What do you want with my wife?" there is no answer.' However, the military people found an answer to this. They said it was quite possible that a nation might have a frontier so unfavourably placed that though entirely peaceful in its aims and policy it might, if it had full knowledge of the fact that a powerful neighbour was trying to invade it, be under an obligation to occupy strategic points in its neighbour's territory to forestall that invasion. We were then too near to the tragic facts of the war to take such arguments lightly, and when technically considered it must be admitted that they are not light arguments.

A Committee was set up to investigate the matter, and it came to the very reasonable view that at any rate aggression might be considered in the light of the political attitude of the nations involved during the period leading to the moment of aggression. It is evident that a nation is not going to jump on another nation for nothing; there must be some disturbance or difference of opinion which will manifest itself in diplomatic conversations or in the press. At that moment the Council of the League begins to consider the matter officially or unofficially, and may even go to the length of

advising that the question should be referred to arbitration or to the International Court or brought before the Council itself; in short, it may suggest some peaceful means of solving the conflict. If one of the nations concerned remains obdurate and refuses to bring the conflict to arbitration, and at the same time takes measures which look like preparation for an attack, the Council may be justified in considering such a nation as the aggressor, unless more forcible proof to the contrary is forthcoming.

That was the suggestion the Committee made to the Council when forwarding the Treaty, but instead of putting it on record in the form of clauses in the Treaty they merely put it in an annex as a kind of memorandum to the Council on the way to define the aggressor.

As you will see, we have here three elements which were to be of very great importance later, namely guarantee or security, disarmament, and arbitration.

When the Treaty of Guarantee had thus been drafted, and its grammar very carefully revised in both languages, the government which might have considered it with sympathy (since they were of the same political complexion as Lord Cecil) fell in England, and another Government came into power. This new Government, of course, would not look at it. They refused to have anything to do with it, but they suggested that something very fine might be done by combining, not guarantee, disarmament, and arbitration, a thing they would never look at, but arbitration, security, and disarmament, which was quite a different idea. We therefore had a meeting of the Assembly which discussed the Protocol.

If you can imagine a table with three legs—guarantee, disarmament, and arbitration—turned round so that instead of

the leg guarantee, the leg arbitration comes to the front, you have the change from the Treaty of Guarantee to the Protocol. The first clauses of the Protocol deal with arbitration. It is a more thorough-going document than its predecessor. The idea of arbitration is elaborated so as to lead almost automatically to the definition of the aggressor; a system of voluntary followed by obligatory arbitration leads almost compulsorily to that determination.

The second part of the Protocol is devoted to the definition of sanctions, which is but the other way of looking at the problem of guarantee or security. The signatory Powers declare that in the event of a nation being designated as the aggressor by means of this system of arbitration, certain measures—economic, financial, and finally military—shall be taken against it.

Finally, the Protocol ends with a series of provisions stipulating that an International Conference on Disarmament shall be prepared by a Commission appointed by the Council, and it is only when the results of that Conference have been adopted that the Protocol will work in its entirety. The Protocol took a good deal of drafting. We spent several days and nights polishing it up, but when it arrived in London the Government had fallen and there was another Government in charge of affairs. This new Government thought it was no use trying to solve the problem of disarmament on a universal basis, but that it was much better to try special, local ways which might later on coalesce into a general treaty. You must not think you have forgotten what I said before; it is a fact that when discussing the previous Treaty it was the English who took the general view and the French who took the special. In spite of that it was now the French who took the general view and the English the special.

That is what the League is. Both systems were synthetic. Both the Protocol and the Treaty of Guarantee provided for a solution in which the system was general, but there were ways and means within the general system for adapting it to special and local solutions. Both were synthetic, but while the Treaty of Guarantee did not please the French in that it was a little too general, the Protocol did not please the English for the same reason, and it was for that reason that it charmed the French.

So we arrived at the third stage in method in our work, and the British Government tried it, and reached the signal success of a most difficult local problem at Locarno. I quote Locarno because I might otherwise be interpreted as criticizing these changes of opinion. I do not criticize them at all. They are life; that is what life is made of; and the fact that the belief in special solutions was not wrong is shown in its success. It had a great success at Locarno. We are still living in Europe on the after-effects of this happy solution of the thorniest problem in world politics by means of the methods advocated in 1923 by the French and attacked by the English, and advocated in 1926 by the English and attacked by the French, although finally adopted by the French.

Locarno, then, was a great success, but on the basis of it it was decided that as at any rate in this local sphere a political basis had been found for a modicum of mutual confidence, we might try again the direct method of solving disarmament, and so, after a second phase of political efforts, we came back, though in spiral form, though on a different plane, to the first method of direct attack. Thus you see the rhythmical way in which world affairs go. We cannot say that progress is a straight line, it rather takes the form of a spiral and comes

back on to itself, but, of course, with the added experience of several years' work.

It was then decided to create a Political Commission to prepare for an international conference if and when the sense of security should be sufficiently strong to enable nations to go to it without feeling that failure would be inevitable. The Commission was composed at once, and in order that there might be no mistake about it, it was called a Preparatory Commission for the Disarmament Conference; and no sooner had it begun to work on this direct method of attack on disarmament programmes than it split on political questions. For, in reality, you cannot get rid of political problems in disarmament. Disarmament is fundamentally a political question which has technical or armament manifestations. I do not propose to enter into all the political problems, but only to illustrate their nature and gravity by taking one or two of them. I should like to do it, however, not by dealing with them direct, but by arriving at them from the technical ground on which they were found first. For it is a curious fact that these political problems of disarmament, when we dealt with disarmament in a direct way, were not raised *quâ* political problems, but imposed themselves on the Commission as soon as they tried to tackle purely technical matters.

I will give one first example. The Commission had to discuss a purely technical matter: what are armaments? I remember that I once suggested a definition to some members of the Commission, namely: *With a view to a Conference on the reduction of armaments, armaments are those things which we propose to reduce.* As it happened, this frivolity proved too serious for a politician, and the result was that it took five months of an expert commission to define armaments in a

way which would allow everybody to be pleased, though no one to be able to know what was meant.

The first difficulty was this: Are we to limit armaments to the actual men and the material which is in the hands of those men, that is, the men in uniform, the men who are serving and the material they have in their hands, or are we to consider as armaments other forms of power which can, with greater or lesser difficulty, be transformed into armaments if and when necessary? The first were called actual or real armaments, and the second potential armaments; and this problem was very often the subject of great controversy, irony, and sometimes misunderstanding, either wilful or otherwise. It was said, for example, that there was an absolute impossibility in limiting such things as the works in which one makes sewing-machines on the ground that if necessary you could turn it into a works for making machine-guns. Then, again, men eat meat, without meat you cannot have an army; therefore a packing factory would also be an armament, and so on and so forth. The same argument was applied to beds. Your men must lie in beds, and therefore a factory which makes beds is an armament. You cannot limit all that, it is perfectly absurd; so the question was treated with some levity. Some people even went so far as to make jokes about a document prepared by some of the delegations, in which the military value of fogs for defending a nation was considered; and yet there was a problem there. Behind all these technical discussions there was a definite political problem. Take a shipyard. It makes warships, and though I daresay there is always a certain degree of specialization even among shipyard firms, it can also make merchantmen. Let us imagine that we have disarmed on the sea altogether—that there are no more warships—is it not a fact

that the nation which has shipyards will be stronger on the sea than the nation that has not?

Let me put it in this way: It is all very well to destroy the eggs of armaments, but you must not keep the hens. Now, what does it come to? Does it mean that we are going to destroy all the economic power of a nation because, if all disarmed, strong economic powers would necessarily be strong military powers? Of course not. We cannot reduce the world to the position of the Sahara in order to make it impossible for the world to make armaments once the present armaments are destroyed. That is not the point. No one ever suggested that potential armaments should be either reduced or limited. On the contrary, potential armaments are everything that are not armaments but might be armaments. As long as this 'might be' is not an 'is', our interest is not in reducing them but in developing them. That should be quite clear. But if we suppose a general reduction of armaments which is going to weaken still further the economically weak nations, we must replace the added sense of insecurity which is going to result to them therefrom by something else—something else which will mean that the combined economic and, therefore, potential military, power of the world is behind them in case they are in danger. So you see how, through a purely technical problem, we come back to the problem of security, to giving a guarantee to a nation that might be attacked by means of the nations which can best give the guarantee—namely, by the nations that have kept the hens of armament.

Take another political problem, and you will see that we shall almost certainly come to the same result. Some experts say, 'It is all very well to limit your men and your material on paper, but how do I know that the nation which says it

has 50,000 men is not arming nearly 100,000?' I know there is an argument against this, it is an argument I have heard very often—I do not make any secret of the fact that I do not believe in it—and that argument is that a treaty on disarmament, like a treaty on anything else, must be made on the basis of mutual trust, and that if a nation says it has 50,000 men you must believe that nation. Well, I am convinced that all nations are absolutely honest, and that they would never think of not keeping strictly to the truth. But my point is, if you can trust all the nations to that extent why don't you disarm at once? Either you disarm at once, without any more ado, or else you live in a state of mistrust. If you live in a state of mistrust you must organize yourselves against mistrust; and the question is one of degree. Why is it that some nations insist on what they call 'control'? Why is it that some nations do not like it? I believe that the question of good faith is absolutely certain all round. I believe that in a normal state no nation would dream of twisting or overstepping the clauses of a convention that has been signed. But in this matter of 'control' you will meet with several difficulties. There is an historical difficulty. Control has a bad name in the world. There is a history of military control, which is not on the lines of international construction for the future, but rather the inheritance of a war; and evidently, however justifiable such measures may have been, there is no doubt that the psychological elements involved are unfavourable for using the same way and the same name when providing for a quite different end. But then, if you consider the question no longer as control, but as the right of the community to follow up events, to know what is happening, and particularly to receive according to Article 8 of the Covenant, all the information that it has the

right to receive on the position of armaments among all its members, then you find that this question of control is again one closely linked up with that of security. It is again this feeling that we must have security in order to be able to disarm.

In addition to these political problems, technical difficulties have arisen in our work. I could not mention them all without considerably overstepping my limit of time, and I will only mention two. There was a long controversy as to how to limit navies—was it to be by total tonnage, or was it to be by categories? There was another controversy as to whether trained reserves should be considered as peace-time armaments, that is, as actual armaments or as potential armaments—a most difficult and complicated problem, in spite of its apparent simplicity. For the school that wishes to consider trained reserves as non-limitable, namely as potential armaments, point out that to-day armies have become so technical that it is unfair to consider as trained a man because he knows how to use a rifle, and not to consider as trained a man who knows how to drive a car or a man who knows how to manage a telephone.

There were, finally, two other problems of great complication—the limitation of war material—which some nations desire limited, while others do not want it limited on the ground that the stocks of war material are almost impossible to control—and that very difficult question of the limitation of budgets. Some nations do not like budgets limited; others consider that without a limitation of budgets a convention on the reduction of armaments would not be so effective.

The world of questions, therefore, raised by this relatively simple word 'disarmament' is, as you see, extremely complicated. We dealt with it by means of a very complicated

organization. The Preparatory Commission, composed itself of political men, who kept the responsibility of decisions and the final drafting of texts, was helped by a commission of military experts. Certainly this technical body was the most hard-worked commission that the League of Nations has had—a commission which worked last year for five months unremittingly, and which, it may interest you to know, spent in these five months three million seven hundred and fifty thousand sheets of roneod paper. Other aspects of the work were dealt with by a commission on economic matters, which had as its auxiliary a commission of economic and financial experts, this time chosen for their private capacity and no longer as official representatives. Then we had to make up special committees to deal with special problems. We had a committee on chemical warfare in order to investigate how it was possible to avoid the use of the chemical industry in time of war for illicit purposes, assuming that chemical warfare was declared illicit. We had another special committee dealing with budgets. It worked for a very long time also, and recently finished its work by proposing to the Council a uniform system for reporting military, naval, and air budgets to the League. The idea is not in the least that budgets should all be couched in the same terms, that would be hopeless, because international characteristics are too different, methods of accountancy are too different; but the idea is that we should receive a report from every nation in which items would be transferred to special columns representing the same thing, so that the putting of them together would really mean something instead of a hopeless comparison of items that would have no corresponding meaning. We had a number of other smaller committees dealing with smaller details.

As a result of all this work, there is extant a draft Convention in which we have already attained a certain amount of agreement in land limitation, in air limitation, and in methods for reporting—not for limiting yet—but for reporting—budgets. Several problems remain open, and will be discussed at the coming meeting of the Commission, probably at the end of this year, notably the question of naval limitation, which it was necessary to adjourn owing to the Three Power Conference, as well as a number of details of control and organization and of limitation of budgets and of limitation of war material.

I have now come to my conclusion. There is no doubt that the effort to solve the problem of disarmament by a direct method is bound to be very difficult, and it will certainly not end in a generally satisfying solution. The necessary political basis is not there. As long as the necessary minimum of confidence and security has not been attained, it is too much to hope that problems of disarmament will be considered otherwise than as problems of armament—of relative armaments. Of course, you realize the capital distinction between the two. We can envisage an integral problem of disarmament as the gradual evolution from a world in which individual nations go about armed, as in the past individual citizens went about armed, to another world in which individual nations will no longer be armed as to-day. In a peaceful nation, individuals do not go about armed. That is the problem of disarmament. The problem of armament is a problem in which the nations of the present world, taking unto consideration the present difficulties and the lack of a general feeling of security, consider between themselves how low they can allow themselves to go in order mostly to save money, and perhaps incidentally to contribute to

increasing the sense of security or rather to diminish the sense of insecurity. Yet, though slow, the work is neither useless nor depressing—far from it. After six years biting at it, I find myself no less an optimist than at the beginning. I see in this work several points which recommend it to people of good will. The first is that as long as it remains an active problem weighing on the international conscience, armaments will not increase to any considerable extent; and, after all, if we are modest we must be content not to become worse if we cannot become better. The second, and probably the more important, is that the work of disarmament is a work of information on the political and national tendencies in the world. Nations have too great a tendency to remain isolated in their opinion, in their line of development. In discussing problems of disarmament they are bound to turn inwards and outwards, and to weigh and measure with greater accuracy the merits of the respective policies, for no doubt the disarmament or armament policy of a nation is only a manifestation of its general policy.

Thirdly—and with this I should like to end—this work of disarmament is an excellent method of mutual education. The men who come to Geneva to discuss it are bound to go back to their own countries and to explain to their own public opinion the complexity of the political problems of the world, and it seems to me that if we have here a system whereby, while we are checking the increase of armaments, we are forcing the several nations to a discipline of mutual knowledge and mutual education, all we can wish then to make the problem of disarmament not merely a useful and an inspiring problem, but a problem to satisfy the world, is to put into it more of the results of this mutual knowledge and education and to establish it on a firm basis of arbitration.

CHAPTER VII

THE MANDATES SYSTEM

Mr. H. A. Grimshaw:

I FEEL to be under no little difficulty, in addressing you on the complex and somewhat delicate question of Mandates, since I do not know precisely where to begin on this vast subject, and I am very certain that I shall presently not know where to end. I am informed that my audience to-day contains a number of persons who have made a special study of the subject. To them I must apologize; I fear that I can offer them little that is new, beyond perhaps the traces they may detect of such sidelights as may be due to my personal experience of the workings of the system and my personal contact with those engaged in its guidance.

I. *The Origins of the System.*

We are extraordinarily ignorant as to the origins of the system. There are no documents, no texts, except Article 22 of the Covenant and those which have been drafted since the adoption of that Article. And of the history of Article 22 we know nothing more than is yielded by the *obiter dicta* of the men who took part in its drafting. There are no minutes of their meetings; we cannot therefore trace the development of the final text from its original draft with any degree of precision.

We do, however, know something of the circumstances under which Article 22 came in the first place to be drafted, and in the second place to be modified. At Versailles in 1919

two opposing ideas were in conflict, when the fate of the ex-German colonies and of the parts detached from the Turkish Empire came to be discussed. There were, on the one hand, the annexationists, whose ideas as to the results of successful war were those of older times; and there were, on the other hand, those who, either for reasons of idealism or because they had pledged themselves in order to gain some immediate end, were opposed to annexation. We need not list the opposing forces; but I can remind American friends that the second party was led by the idealism of Woodrow Wilson, and that it won the day. There was to be no annexation.

But nevertheless Germany was to cede her colonies. What then was to be done with them? The Mandates system was the answer to that problem. The suggestion for it came from General Smuts, who, in reference be it noted not to colonies but to certain detached European areas, put forward the idea that their administration might be entrusted, temporarily, to neighbouring Powers, who should be responsible for the conduct of their administration to the League of Nations.[1] His proposal was not adopted in regard to those areas, but was seized upon as a solution to the colonial problem.

Combine the idea of a *trust* implied in General Smuts's proposition with the Wilsonian principles of non-annexation and no profiting on the part of the victorious Powers, and you have the genesis of Article 22.

In its first paragraph, note is taken that the territories which had 'ceased to be under the sovereignty of the States which formerly governed them' are inhabited by 'peoples not yet able to stand by themselves under the strenuous conditions of the modern world'. These words posed the problem:

[1] See *The League of Nations: a practical suggestion*, by General Smuts.

if these peoples *had* been able to stand by themselves, there would presumably have been no problem.

The Article goes on to say 'there should be applied the principle that the well-being and development of such peoples form a sacred trust of civilization and that securities for the performance of this trust should be embodied in this Covenant'.

That was the solution of the problem expressed, as you will have noticed, in not very brilliant English. The remaining difficulty was the practical application of the principle of the sacred trust, and that is displayed in the next paragraph, which reads:

'The best method of giving practical effect to this principle is that the tutelage of such peoples should be entrusted to advanced nations who by reason of their resources, their experience, or their geographical position can best undertake the responsibility, and who are willing to accept it, and that this tutelage should be exercised by them as Mandatories on behalf of the League.'

The two words 'Tutelage' and 'Mandate', here used or implied for the first time, are the key-notes of the system.

It would be easy, would it not? to smile at the qualifications laid down as deciding which States should undertake the responsibility of tutelage as a sacred trust of civilization, and to note that 'resources', 'experience', and 'geographical position' fitted the situation of Great Britain and the Dominions, France, and Japan as remarkably well as if that situation had itself suggested them. It would be easy, too, to smile at the phrase 'who are willing to accept it'—if we did not feel that even at the moment when they were written Wilson was uncertain of his own people. But I am not going to attempt to raise smiles by such easy means. I am not one of those who look a gift horse in the mouth.

As to the distribution proposed, we know that at one stage of the evolution of Article 22, the Powers I have mentioned, Great Britain and the Dominions (Australia, New Zealand, the Union of South Africa), France, and Japan, with the United States were to be the future Mandatory Powers. Belgium was left out. We know that in the upshot the United States declined to undertake the responsibility of administering Armenia under a mandate, with results for that unfortunate country into which I cannot enter. We know too that Belgium entered a vigorous protest, that there was a hurriedly arranged meeting of a British and a Belgian diplomat, and that the former German East Africa was hastily carved up and Belgium obtained the mandate over Ruanda-Urundi. We know that Italy had to be content with readjustments of boundaries in her existing colonies, and certain promises.

A brief analysis of the distribution finally made is not without interest. The areas affected totalled something like one and a quarter million square miles, with a total population of over twenty millions. The share of Great Britain and the Dominions was over a million square miles of territory with a population of nine and a quarter millions. France comes next with less than a quarter of a million square miles and a population of seven millions. Ruanda-Urundi, under Belgian mandate, has four and a half million people on an area of 21,000 square miles. The Japanese islands have an area of some 800 square miles, and their people number 49,000.

Evidently the future of the Mandates system is largely in the hands of the British peoples, who are in a position to 'set the pace'. Their responsibility is not only in regard to the territories they actually administer under mandate: I have the very strong impression that it extends also to the good

functioning and the very existence of the mandatory system itself.

But having distributed the territories—and I must point out that the actual distribution was carried out by the Supreme Council even before the Treaty of Peace was signed[1] —let us return to the fundamental document, Article 22, the development of which we were discussing.

Its next step is to divide the areas concerned into three classes, known since as 'A', 'B', and 'C', and to indicate that the character of the mandates will differ in the three cases.

The 'A' class comprises the former provinces of the Turkish Empire in the Near East. With regard to them, Article 22 states that they

'have reached a stage of development where their existence as independent nations can be provisionally recognized subject to the rendering of administrative advice and assistance by a Mandatory until such time as they are able to stand alone. The wishes of these communities must be a principal consideration in the selection of the Mandatory.'

Let us anticipate events and inquire into the fate of these three territories. Taking first the one which has the least history and is therefore presumably the happiest, Iraq has on paper and probably also in reality gone furthest towards standing alone. Palestine's position is complicated by the famous Balfour Declaration of 2 November 1917, and the constitution of the Jewish National Home. The Syrian position you are no doubt familiar with. Successive attempts to organize it as a federation of more or less autonomous states have failed, and at the present moment this unhappy country

[1] On 7 May 1919. The Treaty was signed on 28 June 1919, and ratified on 10 January 1920.

is in the throes of rebellion. Still, in each of these cases, we may note that the period of transition necessary before these States can stand alone and as independent countries seek admission to the League of Nations is, if not measurable, at least recognized as being limited. It is in fact in relation to the 'A' mandates that the *provisional* character of the mandate is most easily seen. No tutelage or mandate is necessarily perpetual, and the tutelage of the mandatory system concerns people 'not *yet* able to stand by themselves', with the obvious implication that when they are so able, their administration under mandate comes to an end. I may say that I believe some of the people in this room will see the day when one if not more of the areas under 'A' mandate will seek membership of the League as fully independent States, sponsored in their candidature by the Powers now rendering them 'administrative advice and assistance.'[1]

It would indeed be rash to say the same thing of the areas under 'B' and 'C' mandate; it will clearly take a long time to bring them forward to the stage of development at which they could be admitted to the League as independent States. The provisional character of the mandate in these cases fades almost to nothingness.

One final point before we turn to the areas under 'B' mandate. The provision that, in the areas under 'A' mandate, the wishes of the communities concerned should be a principal consideration in the selection of the Mandatory, does not appear to have been fulfilled, at least in any precise way.

The 'B' mandates refer to 'other peoples, especially those

[1] Under the Treaty of 13 January 1926, Article III, His Britannic Majesty undertakes at four-yearly periods to 'take into active consideration' . . . 'the question whether it is possible for him to press for the admission of Iraq into the League of Nations'.

of Central Africa', who 'are at such a stage that the Mandatory must be responsible for the administration of the territory'. The conditions under which that administration is to be carried on are laid down in outline and, as we shall see later, rendered more precise by the terms of the mandates themselves. The areas concerned are the Cameroons and Togoland (divided between France and Great Britain), and German East Africa (divided between Belgium and Great Britain). The chief differences between these and the areas under 'A' mandate are, as you will have noted, that it is not considered that 'their existence as independent nations can be provisionally recognized', and that it is not here a question merely of rendering administrative advice and assistance, but of being responsible for the administration.

The explanation of the existence of the 'C' mandates is not found in Article 22. The areas under this type of mandate differ greatly amongst themselves, and possess no obvious characteristics in common which are not shared by the areas under 'B' mandate. Yet they are separated out from the latter as being areas which 'can be best administered under the laws of the Mandatory as integral portions of its territory'. The reasons given are 'the sparseness of their population, or their small size, or their remoteness from the centres of civilization, or their geographical contiguity to the territory of the Mandatory, or other circumstances'. It would almost seem that a reason was discovered for each particular area, and the 'other circumstances' added as a safeguard against impertinent inquirers who might fail to find a suitable reason in a given case. The real explanation is, however, simple; it was the nascent, inexperienced imperialism of the British Dominions, which having conquered or taken part in the conquest of these areas, were unwilling even to appear to

yield them up or to appear not to profit by them. Consequently, the creation of the 'C' class of mandates is an undoubted weakening of the system, and is one of the reasons why it has been easy for critics to say that it is annexation in all but the name. General Smuts, indeed, used that phrase in regard to German South West Africa, which became an area under 'C' mandate.[1]

II. *The Supervision of the League.*

The remaining paragraphs of Article 22 treat of the supervision to be exercised by the League over mandatory administration. Passing over for the moment the one concerning the rendering of an annual report, I wish to refer next to that under which a kind of charter for each area under mandate was drafted. It reads as follows:

'The degree of authority, control, or administration to be exercised by the Mandatory shall, if not previously agreed upon by the Members of the League, be explicitly defined in each case by the Council.'

The documents which lay down 'the degree of authority' and so on, are known now as the Mandates. Those for the 'B' and 'C' areas were prepared by a Commission of specialists of the Allied and Associated Powers over which Lord Milner presided, and were presented by the Mandatory Powers concerned to the Council of the League, which confirmed the 'C' mandates, with some minor amendments, on

[1] During the drafting of the mandates, the notion of administration 'under the laws of the Mandatory as integral portions of its territory' was extended to all the areas under 'B' mandate, except Tanganyika, by the insertion of an appropriate phrase in the terms of the mandates themselves. Thus the distinction between 'B' and 'C' mandates in this connexion becomes even more unreal.

27 December 1920. The confirmation of the 'B' mandates was delayed by the sudden waking-up of the United States, which intimated, though it was not a signatory to the Treaty of Versailles, that its approbation of the terms of the mandates was necessary. It was not until July 1922 that agreement was reached and the Council could give its sanction to these 'charters'. A few days later the mandates for Palestine and Transjordan and for Syria and the Lebanon were confirmed provisionally to come into force when negotiations then proceeding between France and Italy in regard to the Syrian mandate had been concluded. The Council was later informed that this was the case, and the mandates were confirmed on 29 September 1923.

Iraq came last, and is a special case. A draft mandate had been submitted to the Council late in 1920, but in the meantime events had made much progress, and the draft became out of date. The dislike of the Iraqi for the idea of a mandate, and their desire to make the most of their provisional recognition as an independent state, led to the conclusion of a Treaty of Alliance between Great Britain and Iraq on 10 October 1922, and a second Treaty on 13 January 1926, both of which defined the relations between the two countries. In point of fact there is no formal mandate for Iraq; the communications of the British Government concerning these treaties were approved by the Council on 27 September 1924 and 11 March 1926 respectively 'as giving effect to the provisions of Article 22 of the Covenant'.

The first factor in the exercise of the League's supervision over mandatory administration is then the necessity that the Council should approve the terms of the mandates. We may add that this necessity persists, since the consent of the Council must be given if any changes are to be made in the

mandates. In the case of Iraq which I have cited, the Council has on two occasions at least been consulted, and in one or two other minor cases where changes of boundaries were involved, the same procedure has been followed.

The preceding and the following paragraphs of Article 22 set up the permanent machinery designed to secure that the League's supervision is complete. Each mandatory Power is to 'render to the Council an annual report in reference to the territory committed to its charge', and a permanent Commission is to be constituted 'to receive and examine the annual reports of the Mandatories and to advise the Council on all matters relating to the observance of the mandates'.

The annual report is obviously an essential part of the machinery of supervision. The Mandates Commission was quick to recognize this, and the improvement of these reports, due to its suggestions and to the meticulous care with which it has examined them, due also to the obvious good will of the Mandatory Powers, has been very marked. They are now infinitely the best colonial documents with which I am acquainted, dealing with every phase of the life and activity of the peoples inhabiting the areas under mandate.

The Permanent Commission, it seems to me, is equally an essential part of the machinery of supervision. The annual reports are of course addressed to the Council itself, but that august body, troubled with many preoccupations, would undoubtedly delegate its duties perforce to some Commission or other, even if the Treaty had not created one. But it is a notable point that the Treaty did in fact provide for such a creation, for it at once makes the Commission independent of every authority except the Treaty. It cannot be said that the Commission is in any sense the servant of the

Council; it is its *adviser*, and the terms of the Treaty are so wide that there appear to be no bounds to its advisory scope: it is 'to advise the Council on *all matters* relating to the observance of the mandates'. What the Council does with that advice is, constitutionally speaking, not the Commission's concern. Except in regard to the examination of the annual reports, it has no direct contacts with the Mandatory Powers, and its observations in regard to the conduct of their administration are addressed not to them, but to the Council. It is true that the latter body tends to pass the observations to the Mandatory Powers without change or comment, so that in effect it is the Commission's mind that the Council expresses. But it is the Council which is the League authority on mandates questions, and not the Commission.

What part then is played in the work of supervision by the other organism of the League—the Assembly? The Assembly is competent, under Article 3 of the Covenant, to 'deal at its meetings with any matter within the sphere of action of the League', and therefore competent to deal with mandates. And in fact reports upon the working of the system are submitted annually to the Assembly, which has discussed them at times at considerable length, and has adopted resolutions concerning them. But the supervision exercised by the Assembly is rather general than particular, and to my mind possibly the main value to be attached to its rôle lies in the fact that it represents the whole of the States Members of the League, and is in some sort a link between the Commission and the Council on the one hand and world opinion on the other.

But all *specific* functions in regard to the mandatory system are attributed to the Council, and no mention of the Assembly is made in Article 22. It is the Council which

approves the terms of the mandates; it is the Council to whom annual reports are to be rendered, and it is the Council which is to be advised by the Permanent Mandates Commission. Therefore, juridically speaking, it is the Council which is the League's principal organ of supervision.

III. *The Defects of Article 22.*

Perhaps before leaving Article 22 we may be permitted to animadvert on its imperfections, which have given much work to our friends the international lawyers, who have produced therefrom much cry and little wool.

The Article does not read like a parliamentary or juridical text. It is at times loose, at times ambiguous. It uses words borrowed from civil law and inappropriate, without close definition, in an international text. As a point of history, we know that its text did not pass through the hands of an expert drafting committee. It is, as it stands, Wilsonian idealism hastily whittled down, so far as Wilson would permit, to meet the facts and difficulties of practical colonial administration—which would be permissible, but also whittled down to meet the politics of balance of power and advantage and to meet the somewhat naïve imperialism of the British Dominions.

More important, perhaps, than its looseness are its omissions. No word is said, either here or in the rest of the Treaty, as to where the sovereignty over the areas under mandate lies. I have no time to go into the often mutually exclusive theories put forward by writers on the subject, nor—our chairman, Professor Quincey Wright, will, I hope, forgive me: he is the author of at least one such theory—do I think it worth while. The important practical point to be noted is that there appears to be general agreement at the present

time both in the Permanent Commission, the Council, and amongst the Mandatory Powers themselves that, wherever sovereignty over the areas under mandate may lie, it does *not* lie with the Mandatory Powers. This, I submit, is all that is necessary for the good working of the system.

On a second point also, Article 22 and the Treaty are silent. Are the mandates revocable, and if so, by what authority? I have referred already to their provisional character, in that all of them in theory may be determined by the arrival of the territory concerned at a stage of development when it may be recognized as an independent State, and as such, admitted to membership of the League. But it is only in this sense that any term can be fixed for them, at least on the basis of the Treaty. At the risk of being accused of trying to burke what might be a very interesting discussion on this point, I am going to declare that for the moment it does not interest me. If ever it becomes a practical question, that is to say, if ever a Mandatory Power wishes to surrender its mandate, or if ever the administration of an area under mandate becomes so bad that the States Members of the League are convinced that a change of Mandatory Power is necessary, then quite certainly a way will be found, and I am content to await events.

I am the more content, perhaps, because I have had the good fortune to be able to watch at close quarters the evolution of the system created by this very defective Article 22, and to note how the good will of all parties concerned in its working has gradually rendered precise many vaguenesses, has given practical concrete effect to many principles perhaps too loosely enunciated, and has translated the spirit that moved the authors of the original Article 22 into beneficent everyday practice.

But to study the actual working of the system we must have recourse to those further texts, which as I have stated, were drafted subsequent to the adoption of Article 22. There are two groups of them; we have referred already to the first group, which consists of the fourteen mandates themselves, and to their preparation and adoption, though we have not dealt with their detailed provisions. The second group is composed of the two documents which form the working basis of the Mandates Commission, namely, its 'Constitution' and its 'Rules of Procedure'. These two groups, taken together, not only lay down in greater detail than was possible in Article 22 the obligations undertaken by the Mandatory Powers and the manner in which they should carry out their administrative tasks, but also give practical effect to the provision that their 'tutelage should be exercised . . . on behalf of the League'.

IV. *The Conditions of Mandatory Administration.*

I wish therefore to pass them rapidly under review, and I will first take the three categories of mandates separately and show how these 'charters' interpret the more general terms of Article 22 in regard to the conditions under which mandatory administration should be executed.

In the case of the 'A' mandates, Article 22 gives us little or no assistance in this connexion. Beyond the general provision, applicable to all mandates, that 'the well-being and development of such peoples form a sacred trust of civilization', the only guidance is given by the indication that the existence of these peoples as independent nations can be provisionally recognized 'subject to the rendering of administrative advice and assistance by a mandatory'.

This latter prescription is most fully and clearly expressed

in the text of the documents which are the equivalent of the mandate for Iraq, for Article 1 of the Treaty of Alliance of 10 October 1922 is worded as follows:

'At the request of His Majesty the King of Iraq, His Britannic Majesty undertakes, subject to the provisions of this Treaty, *to provide the State of Iraq with such advice and assistance* as may be required during the period of the present Treaty, *without prejudice to her national sovereignty* . . .'[1]

Neither the mandate for Palestine nor that for Syria makes any such specific recognition of the limited rôle of the Mandatory, nor of the national sovereignty of the area under mandate. The latter point has perhaps a certain significance in the general discussion of the question of sovereignty in areas under mandate.

For the rest, the three 'A' mandates contain a series of almost identical provisions with regard, for example, to the maintenance of the Mandatory's troops in the area in question, to the organization of local defence and police forces, to the capitulations and the immunities and privileges formerly enjoyed by foreigners in the Turkish Empire (which now for the most part disappear), for religious freedom, for the preservation and study of antiquities, for economic equality amongst Members of the League and their nationals, for maintaining the integrity of the territory, and so on. But they are much more interesting in the ways in which they differ. Take, for example, that important step towards self government which consists in the framing of a Constitution. In Syria it is the *Mandatory* which 'shall frame . . . an organic law for Syria and the Lebanon' in agreement with the native

[1] For the Treaties and other texts relating to Iraq, see the League Document C. 216, M. 77, 1926, vi. The italics are mine.

authorities and taking into account the rights, interests, and wishes of all the population inhabiting the said territory.[1] As you are no doubt aware, the French Government has not yet succeeded in reconciling these complex rights, interests, and wishes, and in getting agreement upon a Syrian constitution. In Iraq it is *His Majesty the King of Iraq* who 'agrees to frame an Organic Law for presentation to the Constituent Assembly of Iraq'; and that organic law or constitution has been framed and adopted. The Palestine mandate is again different, for it cautiously makes no mention whatever of any organic law or constitution.

Since the Mandatory Powers concerned had, of course, the principal hand in the drafting of these mandates, there is much material here for an interesting study of the different political conceptions displayed by them. Compare in the first place the French attitude towards an organic law with the British, and in the second place the attitude of Great Britain in a case where it is she herself who is responsible directly for the administration, as in Palestine, with her attitude in a case where she accepts responsibility for the acts of others, as in Iraq. In the latter case you will note that, despite her general dislike for the binding formulae of a constitution, she appears to have accepted them willingly, perhaps even to have insisted upon them.

The 'B' mandates are to me much more interesting documents than even the 'A' mandates, for in distinction to the latter, they aim at providing for an improved type of 'colonial' administration, meaning by that term the administration of subordinate peoples by alien superiors. These mandates, with the 'C' group, make an attempt to secure the interests, the well-being, and the development of the peoples

[1] Mandate: Article 1.

under mandatory administration, not by their own efforts, for they are judged as yet incapable of such efforts, but directly through the acts of the Mandatory Power, likely, if colonial history is any guide, to favour its own interests at the expense of those of the peoples under its charge. They consist, therefore, of a number of prescriptions of things which must be done, and a number of prohibitions of things which must not. These are found in eleven articles which, with one or two important differences, to which I shall refer later, and a number of minor textual differences, are common to the six 'B' mandates held in Central Africa.

They are vitally important, for in many respects they mark a real progress in the accepted principles of colonial administration. Let us look first at the things which the Mandatory Power *must do*, remembering that, in general, a Power is under no obligation, other than a moral one, to do these things in its own colonies.

The Mandatory Power, by the first of these common articles, is 'responsible for . . . the promotion to the utmost of the material and moral well-being and the social progress of its inhabitants'.[1] This is a re-statement in part of the 'sacred trust' idea. The *moral* obligation resting upon, and nowadays accorded at least lip-service by all colonial Powers, of furthering the welfare of backward peoples under their charge, becomes here a *formal* one. Is it, you may ask, any stronger for that? I think that it certainly is; one has only to reflect that its carrying out is supervised by a Commission and by the Council of the League, all of whose documents and decisions, and many of those meetings, are *public*. No Power willingly faces a possible public animadversion upon

[1] The mandate for Ruanda-Urundi says: 'The Mandatory . . . *shall undertake to promote*, &c.'

its failure to carry out an obligation solemnly undertaken. And whilst in the ordinary colonial case it is nobody's particular business to point to the breach of the *moral* obligation, in the case of an area under mandate it is very much the particular business of the Mandates Commission and the Council to note breaches of the *formal* obligation.

You may say, again, that the terms of this provision are vague. My reply would be in the first place that they are made precise in certain connexions in the articles that follow, and in the second place that their vagueness may be a positive advantage. Our knowledge of what may be truly favourable to 'social progress' is extending rapidly, and measures thought good to-day may come under the criticism of the Mandates Commission to-morrow.

Imprecise as it is, then, this general prescription is of vital importance, and in another sense its very generality has been a considerable practical advantage. For when the somewhat delicate question was raised as to how far the supervision of the League should extend, the decision of the Council on the matter was largely based upon the conception expressed in this very provision. M. Hymans, in a report addressed to and adopted by the Council in August 1920, posed the question whether the Council, in its supervision of mandatory administration was 'to content itself with ascertaining that the Mandatory Power has remained within the limits of the powers which were conferred upon it', or was it 'to ascertain also whether the Mandatory Power has made a good use of these powers, and whether its administration has conformed to the interests of the native populations?'[1] In adopting this second and wider interpretation, M. Hymans referred to the first paragraph of Article 22 and added: 'The Annual Report

[1] Minutes, VIII Session, Annex 90.

stipulated for in paragraph 7 should certainly include a statement as to the *whole moral and material situation of the peoples under the mandate*', and he concluded, 'It is clear, therefore, that the Council should examine the question of the *whole administration*.'[1] This is one of the decisions of primary importance in the history of the mandates system.

We can pass rapidly over a number of the other positive prescriptions contained in the 'B' mandates, since they are neither new nor controversial, but I would not give the impression that they are unimportant. For the reason that their carrying out has now become a formally binding obligation, and subject to international supervision, and for the further reason that they touch on the worst evils of primitive society or of the exploitation of backward peoples by others, they are of very great importance. They concern slavery and the slave trade, forced or compulsory labour, fraudulent or forced labour contracts and recruiting of labour, the safeguarding of native rights in land, usury, and freedom of conscience and of religious worship.

All were dictated by experience as touching upon the worst evils which colonial administration has to meet, or to which colonial mal-administration has given rise. They are conceived in the interests of the natives. They are not all-inclusive, and they might possibly have gone further than they do in certain directions. But the sum total of social action demanded by them marks a great step in advance of anything internationally agreed upon heretofore. In particular, the provisions relative to the conditions of labour and the conservation of native rights in land open up possibilities of social progress that have been only too seldom realized in colonial history.

[1] The italics are mine.

A negative prescription calling for some note is the prohibition of the use of the areas under mandate as military assets of the Mandatory Powers. That is not the wording of the texts, but it was, I think, certainly the intention of the originators of the Article, found in all the 'B' and 'C' mandates, providing that:

'The Mandatory shall not establish in the territory any military or naval bases, nor erect any fortifications, nor organize any native military force except for local police purposes and for the defence of the territory.'

Here the war-wearied world conscience was again expressing itself. I cannot interpret it for you, but I can point out the gloss placed upon it in the two French 'B' mandates, which add a sentence not contained in the rest. It is as follows:

'It is understood, however, that the troops thus raised may, in the event of general war, be utilized to repel an attack or for the defence of the territory *outside that subject to mandate*.'[1]

Does this mean that, in the areas under mandate other than French, such troops may *not* be employed for defence outside the area in which they are recruited? If so, the French have here a possible real advantage over other Mandatory Powers, but only 'in the event of general war'. What is general war, and who is competent to state that a war has become general?

So far, the trend of events has tended towards a hopefully favourable interpretation of this Article. But you will agree that the drafters of the mandates would here have been justified in being more strictly precise.

The other Articles to which I wish to refer are for the most part intended to secure that the holding of a mandate shall

[1] My italics.

not be at once a 'sacred trust' and a profitable exploitation. Monopolies of a general nature are not to be created for the benefit of the Mandatory or his nationals; concessions for the development of the resources of the territory are to be granted without distinction on grounds of nationality, and the nationals of all States Members of the League are to be on a footing of equality in regard to trade and industry. The same equality of opportunity is extended also to missionaries who are nationals of States Members of the League.

It must be observed that this 'economic equality' provision, though it goes perhaps as far as any such provision could reasonably go, does not and cannot in fact secure absolute equality in these matters. In the nature of things, a trader is more at home under the administration of people of his own race, and though the administration may officially put no difficulties in the way of the foreigner, he will probably not find his path quite so familiar and smooth. The Mandates Commission has been extremely watchful over the execution of this provision and I believe that in so far as economic equality is possible, it is in course of being attained in the areas under mandate.[1]

One further Article calls for a word. It is a repetition of that paragraph of Article 22 which demands from the Mandatory Powers an annual report, but it goes further than the text of the Covenant, which merely demands a report 'in reference to the territory committed to its charge'. Here is the text of Article 11 of the Ruanda-Urundi mandate:

'The Mandatory shall make to the Council of the League of Nations an annual report to the satisfaction of the Council. This

[1] The United States and its nationals enjoy the same economic equality as the result of a series of treaties with the Mandatory Powers.

report shall contain full information concerning the measures taken to apply the provisions of the present mandate.'

If the words 'to the satisfaction of the Council' mean anything, I take it that the wishes of the Council as to the form and contents of the reports must be respected by the Mandatory Powers, and in no case to my knowledge has any Mandatory Power refused to include in its report specific information asked for.

It is worth noting that in one 'B' mandate, that for Tanganyika, the Article I have just quoted is extended by a passage similar to one found in the 'A' mandates, which has a very great value in the supervisory work of the Commission and the League. It runs as follows in the Syria mandate: 'Copies of all laws and regulations promulgated during the year shall be attached to the said report.'[1]

This passage is not to be found in the other 'B' mandates, nor in any of the 'C' class. And even in the Tanganyika mandate it appears to be less far-reaching, for it provides that copies, not of *all* laws and regulations, but only of those 'affecting property, commerce, navigation, or the moral and material well-being of the natives shall be annexed to this report'.

These differences I cannot account for, and in practice they have now no significance, for at the request of the Commission, backed by the Council, each Mandatory Power has agreed to supply copies of *all* laws and regulations.

You will permit me to pass over on this occasion the re-

[1] There are verbal differences in the corresponding texts in the Palestine mandate, and in the 'Decision of the Council of the League of Nations relating to the application of the principles of Article 22 of the Covenant to Iraq', but they do not affect the sense.

maining provisions of the 'B' mandates, and glance rapidly at the 'C' type. There are here interesting differences between the provisions affecting the well-being of the native inhabitants and the analogous ones found in the 'B' mandates, which again I cannot account for. Generally speaking, these are less strict and precise. For example, though they prohibit the slave trade, they make no reference to the emancipation of slaves or the abolition of domestic slavery. They make no reference to the safeguarding of natives against fraudulent labour contracts or the abuses of recruiting, though some at least of the areas under 'C' mandate are just as likely to be the home of these evils as are those under 'B' mandate. In regard to alcohol, however, they go further, since they provide in each case that 'the supply of intoxicating spirits and beverages to the natives shall be prohibited '.

There is one notable omission, which really marks the difference between the 'C' and other mandates: *there is no article providing for the economic equality of the States Members of the League and their nationals* in these areas, and *no provision against monopolistic concessions*. In these cases then, and in these cases only, is it legitimate and possible for the Mandatory Powers concerned to derive direct profit from the administration of the areas committed to their tutelage, and it is this that I had in mind when I indicated that the creation of the 'C' class is a weakening of the system. It is another derogation, and perhaps the worst of them, from the high ideals of no annexation and no profiting which should have reigned over the whole arrangements concerning the ceded territories.

V. *The Procedure of Supervision.*

Pursuing our examination of the texts affecting the mandatory system, we come now to the two last to which I shall call your attention to-day. They are the 'Constitution' of the Permanent Mandates Commission, and its 'Rules of Procedure', both drafted by the Commission and approved by the Council, subsequent to the inauguration of the system. In these documents we shall see how the supervision of the League over mandatory administration, provided for in the later paragraphs of Article 22, has been worked out in terms of machinery and procedure.

Article 22 lays down no guiding principles for the constitution or composition of the Commission; it provides for its creation merely. You may trace the history of the adoption of the present 'Constitution' in the published documents of the League.[1] It provides firstly, for the composition of the Commission. The obvious desiderata in its members are independence, impartiality, and competence. Independence is secured partly by the provision that the members shall not hold any office 'which puts them in a position of direct dependence on their Governments while members of the Commission', partly by the fact that the members are appointed not by their Governments but by the Council, and in no way represent their Governments, and partly again by the fact that no method exists of dismissing a member once he is appointed. The general independence of the Commission as a body is secured by the Covenant; as I have already said, it will require an amendment of the Treaty to put the Commission out of existence.

[1] See especially Assembly Document No. 161. The Constitution was adopted on 29 November 1920 and revised 10 January 1922.

These circumstances also secure the impartiality of the Commission to some extent, and a further measure tending in the same direction is the provision that the majority of the Commission shall be nationals of non-mandatory Powers. Of the nine members of the Commission as originally constituted,[1] five are nationals of non-mandatory Powers. It is interesting to note that an early proposal that all the Mandatory Powers should be directly represented on the Commission by their nominees was discarded, as was a further suggestion that they should not be represented at all. The present system is then in this matter a compromise.

Competence is a quality easy enough to secure—when it exists. The majority of the members of the Commission are persons of great colonial experience; all have much experience of social and political matters. The competence of the Commission as a body is theoretically, at least, increased by the presence at its sittings of a representative of the International Labour Organization, who takes part in discussions on labour matters, without however the right to vote. The 'Constitution' further gives the Commission the right, if it so desires, to summon technical experts to act in an advisory capacity; it has so far seldom made use of this right, though it has called at times for the assistance of other sections of the Secretariat, notably the Legal and Health Sections.

It may be considered, too, that its competence loses nothing from the presence, obligatory under the 'Constitution,' of an accredited representative of the Mandatory Power submitting the report under examination. This representative

[1] An 'extraordinary' member was added by the appointment in December 1924 of Professor William Rappard, on his resignation of the post of Director of the Mandates Section in the Secretariat of the League, a post which he had held since the inauguration of the system.

does not, of course, sit as a member of the Commission, but is there to explain and complement the report, and to give any further information the members of the Commission may require. I have formed the definite opinion that this practice is very valuable under one condition, which is that the representative should really know what he is talking about. Fortunately, the Mandatory Powers appear to have realized the importance of being well represented before the Commission, and the practice of sending the highest official actually responsible for the administration of the territory, the report of which is under examination, has extended and become almost normal. I have not the slightest doubt that this personal contact between High Commissioners and Governors and the members of the Commission has contributed enormously to the smooth working of the system; the Commission has been better informed, and both parties have the more fully realized that the Commission's task is at bottom one of collaboration with the Mandatory Powers in securing that the administration of areas under mandate is carried out in the spirit of the Covenant and to the letter of the mandates.

The examination of the report being ended, the observations of the Commission upon it are drafted in the *absence* of the accredited representative—an arrangement made by the 'Constitution' in order to give full freedom to the members at the crucial moments of their task. But the observations, once agreed upon, are sent to the accredited representative before being sent to the Council. He may, if he thinks fit comment upon them, and his comments must accompany the Commission's observations when at length the latter are sent forward to the Council.

Every care is thus taken, and rightly taken, that the Mandatory Power shall have a 'fair show'. At no stage of the pro-

ceedings, save during the drafting of the Commission's observations upon an annual report, is it unrepresented. Given the correctness of that conception of the system to which I alluded a moment ago, namely that it is at bottom one of collaboration between the executive Mandatory Powers and the supervisory Commission and Council, I think it is necessary that this constant representation of the former should be provided for.

This idea of collaboration has inspired the greater part of the two texts I am discussing, the 'Constitution' and the 'Rules of Procedure'. The two documents must be read together; they overlap, and neither of them is well described by its title. I leave the rest of their provisions, which are for the most part relatively unimportant, for your individual examination, and I am compelled to do the same with a further document, to which, though it is of immediate interest, I cannot do more than refer. I speak of the rules adopted by the Commission, and approved by the Council, in regard to the procedure to be followed in regard to petitions. The whole question of petitions bristles with difficulty. The arrangements so far made are satisfactory neither to the petitioners nor to the Commission, and a new procedure must be thought out.

VI. *Conclusion.*

You will now, I think, be able to appreciate my opening observation concerning the difficulty of speaking briefly on this subject. I am conscious of having omitted much and of having too lightly treated much again. But I have succeeded if I have stimulated your interest in what is in my opinion one of the most valuable results of the Treaty of Versailles and perhaps the most interesting experiment in international

administration. Let me in conclusion point out briefly what I consider to be the conditions of its successful working.

I have indicated that the texts on which the system is based are not without their defects. So far, however, those defects have not proved to be dangerous obstacles to the execution of the ideas underlying Article 22, for the good reason that all parties engaged in the task of carrying out that Article have manifested their good will. Without that, no system, however perfectly thought out, could survive the wear and tear of international relations, and it is essential that it should be preserved.

A second element of success is clearly the continued independence and competence of the individual members of the Commission, and of the Commission as a whole. As to its competence, I do not say that the present Commission possesses all the qualities one could desire. A large proportion of its members have been themselves high officials in colonial administration, and there is perhaps a danger that official views may predominate. I would personally like to see members whose knowledge and experience of native populations have been gained from a different angle.

As to its impartiality and independence, I should regard with the greatest anxiety any indication that an individual member appeared to be influenced by considerations of the interests of his own country, or that the Council or the Assembly attempted to put any pressure whatever upon the Commission. Though its rôle is in no sense that of a court of justice, it should in my view be surrounded by all those safeguards of impartiality with which Anglo-Saxon peoples surround their judges.

The carrying out of a judge's decisions is guaranteed by an army of executive officials, police, jailers, hangmen. The

putting into practice of the decisions, suggestions, and observations of the Commission is dependent in the first place upon their essential justice and rightness, and in the second place upon the good will of the Mandatory Powers. For I need perhaps to remind you that the findings of the Commission, even when approved by the Council of the League, have no executive force of themselves. It is true that it will be difficult, it is in fact now difficult, though the system is still in its infancy, for a Mandatory Power to neglect to take them into consideration. Still, if a Mandatory Power acts in opposition to the suggestions of the Commission and the Council, there is no force to compel it to do otherwise.

Except one. The efficient application of the principles of Article 22 depends, more than upon any other factor, upon a watchful and instructed public opinion. I am glad to think that my audience to-day is evidence that great interest is taken in the subject we have discussed.

CHAPTER VIII

THE OPERATION OF THE MANDATES SYSTEM

Mr. Huntington Gilchrist:

AS I read history, the Mandates System was created very largely as the result of a reaction against pre-war 'imperialism', a reaction which was given added force by the idealism that was born of the war. It was a reaction against those features of imperialism which, particularly during the forty years preceding the war, had resulted in a terrific struggle for exclusive national rights by the great Powers in the backward regions of the world. That struggle for exclusive economic control and political domination meant that nine-tenths of the African continent was appropriated by one or other of the European Powers in the forty years from 1875 onwards.

Although to many the word 'imperialism' may have an objectionable sound, as meaning the exclusive exploitation of raw materials for the benefit of certain countries alone and the right to impose preferential tariffs in the interests of the occupying Power rather than the natives, there is another aspect of it which we must not lose sight of. Besides such features as these which have been branded as objectionable in many quarters, there were, of course, civilizing influences which accompanied the extension of European political power. Law and order were established. That meant the end of inter-tribal fighting and gradually resulted in the break-up of the slave trade. The firmer establishment of European rule aided the extension of missionary work and

the beginnings of western education, sanitation, and public health work. It seems fair to say that the mandates system was formed to conserve the beneficial effects of the imperialist movement and to do away with its objectionable features, or at least to minimize some of them, for the mandates system was, of course, a compromise between idealists and imperialists, and was not the result of a complete victory by the former. Before attempting, however, to analyse this system to see to what extent it has attained the objects sought by its founders, I should perhaps briefly describe the system itself.

Brief Outline of the System.

The mandated territories are those fourteen different areas which formerly belonged to Germany in the Pacific and in Africa, or comprised the former Arab Provinces of Turkey in the Near East. The mandates were allotted, not by the League of Nations but by the Principal Allied and Associated Powers, to certain of the countries which were on the Allied side during the war—Belgium, Great Britain, France, South Africa, Australia, New Zealand, and Japan. These Powers are called the Mandatory Powers and they govern under a general responsibility to the League of Nations and in accordance with a definite mandate or conventional arrangement prescribing the way in which the territory is to be administered.

In Equatorial Africa, Tanganyika Territory (formerly German East Africa) was allotted mainly to Great Britain, a small corner in the north-west going to Belgium. The main part of the former German Cameroons went to France, with a little strip to Great Britain. Togoland was divided between Great Britain and France. These are known as 'B' Mandates.

South West Africa and the islands in the Pacific formerly belonging to Germany are 'C' Mandates. South-West Africa was assigned to the Union of South Africa. Samoa went to New Zealand and New Guinea to Australia; the little island of Nauru went to the British Empire, and all the former German islands north of the equator—700 of them in all, many of them uninhabited—went to Japan. As to the 'A' Mandates, Syria was allotted to France and Palestine to Great Britain, while Iraq has by a special treaty arrangement with Great Britain, which has been sanctioned by the League, been already recognized as to a large extent self-governing, although it remains subject to the guidance of British advisers on important matters as well as to League supervision.

These fourteen different territories are governed in accordance with a definite 'mandate' or charter laid down separately in the case of each territory, all the mandates in each category, however, being similar one to the other. The 'A' and 'B' mandates provide, *inter alia*, for equal treatment for the commerce of all nations Members of the League, and the 'B' and 'C' categories contain a series of stipulations to protect the natives, among other things, against slavery, the liquor traffic, and the use of forced labour, except for essential public works and services and then only in return for adequate remuneration.

A third group of provisions, found in all the mandates, and perhaps they are the most important provisions of all, stipulates that each Mandatory Power must submit annually to the League a report on the way in which the administration of each territory has been conducted during the previous year. In accordance with the Covenant these annual reports are sent for examination to the Permanent Mandates Commission of the League.

The Permanent Mandates Commission is composed of ten[1] colonial experts, acting as individuals not as Government representatives, and of whom only four are nationals of States which have mandates. It includes a formidable group of colonial administrators who have continuously elected as their chairman the Marquis Theodoli, formerly Under-Secretary of State for the Colonies in Italy. Among its other members are Sir Frederick Lugard, former Governor of Nigeria and later Governor-General of Hong Kong, and M. Martial Merlin, former Governor-General of several of the largest French colonies in Africa and the Far East. Other members are Professor Rappard, Rector of the University of Geneva, who, though not having had direct colonial experience himself, was Director of the Mandates Section of the Secretariat for the first four years; and Madame Wicksell, of Sweden, who takes particular interest in questions concerning the education and social welfare of the natives. Mr. Van Rees, from the Netherlands, a former high official in the Dutch East Indies, is also on the Commission, together with General Freire d'Andrade, perhaps the most distinguished of Portuguese colonial authorities, Mr. Orts of Belgium who has had long experience in official and business circles connected with African affairs, M. Palacios, Professor of Law and Political Economy at the University of Madrid, and M. Yamanaka, formerly in the Japanese diplomatic service. Professor Rappard was succeeded as Secretary of the Commission by M. Catastini, who had held important positions in the Ministry of the Colonies in Italy.

[1] Increased to eleven by the addition, in September 1927, of a member of German nationality who is Dr. Ludwig Kastl, formerly Treasurer of South West Africa and now Managing Director of the National Federation of German Industries.

The Commission sits twice a year, each session lasting two or three weeks. It does not simply take the annual reports of the Mandatory Powers as printed and discuss them privately; it examines them in the presence of a representative of the Mandatory Power, who is sent to give such additional information as may be required. For instance, during the last session, the Commission questioned Sir Donald Cameron, the Governor of Tanganyika, in order to gain a more definite insight into the principles and views of the administrator on the spot with regard to the way in which the largest of the African mandated territories is being governed. This cross-examination of the accredited representative of the Mandatory Power is set forth in full in the minutes of the Permanent Mandates Commission, which give almost a verbatim account of the proceedings, and which are available for students who may wish to examine in detail the work done to carry out the provisions of Article 22 of the Covenant in so far as the Commission is concerned.

When that examination is over and the representative of the Mandatory Power has withdrawn, the Commission discusses its conclusions with regard to the administration of the territory in question, and draws up a report which is sent to the Council of the League, the accredited representative being given an opportunity to comment on it. The Report on the Work of the Eleventh Session of the Commission—the latest—was released to the press a few days ago, and I will have occasion in a moment to refer by way of illustration to certain interesting passages which it contains. This Report will go before the Council for consideration when it meets in September next. The Council normally passes on the observations made by the Commission to the Mandatory Powers concerned, asking them to take the requisite action

to fulfil the recommendations or suggestions made by the Commission or to explain why it may not be considered possible to do so.

The work of the League with regard to the execution of Article 22 does not end, however, with this formal routine action on the part of the Council or with the replies eventually made by the Mandatory Powers. The Assembly each year discusses in its political committee—the Sixth Committee—the work done during the year by the Mandatory Powers, the Council, and the Permanent Mandates Commission to carry out Article 22, and so the whole question is put before that forum of public opinion which the Assembly constitutes.

'Sovereignty' Replaced by 'Trusteeship'.

This, in brief, is the mandates system, and it may now be interesting to see how, both in theory and in practice, it affects those features of the old imperialism against which objections had been raised. One of the so-called evils of imperialism was the insistence of the great Powers on securing full sovereignty, exclusive political rights, in the different territories under their control. That led to a great deal of diplomatic intrigue between the various capitals of Europe, and this sometimes involved danger of war. When a Power possesses exclusive sovereignty over a territory there is almost inevitably a great risk that in the last resort any decision with regard to the administration of that territory must depend on the interests of the Power in question rather than on those of the native inhabitants of the territory.

Under the mandates system, has the situation been changed? Exclusive sovereign rights have certainly been replaced by trusteeship, a system under which the final decision on any

problem concerning the administration of these territories should be determined by the interests of the natives rather than by those of the governing Power. It is occasionally said, however, that while on the surface there may be a difference, in that the word trusteeship replaces the word sovereignty, this is simply camouflage, and that as a matter of fact these mandated territories have been practically annexed by the great European Powers, and that there is only a formal difference between the new system and the old. On that point I would refer you to the report of the recent session of the Commission. One of the most interesting questions which arose at that time, and which had also been dealt with at the previous session, was with regard to the question of sovereignty in so far as it affects the territory of South-West Africa, which is under the mandate of the Union of South Africa. The Union of South Africa, about a year ago, negotiated a treaty with Portugal, which governs Angola, the territory just north of South-West Africa, to settle the frontier between the two territories. In the preamble to that treaty it was stated that under the mandate the Government of the Union of South Africa, subject to the terms of the mandate, possessed sovereignty over the territory of South-West Africa, lately under the sovereignty of Germany. This phrase came to the attention of the Permanent Mandates Commission and they expressed doubt at their session last November as to whether this was the proper way to define the relationship between a Mandatory Power and the territory under its mandate. As the Council, when considering the report of the Commission in March, refrained from expressing any opinion on this matter, the Government of the Union of South Africa replied that it did not feel that it should make any statement on the point either. At its last

meeting, however, the Commission thought it necessary again to bring the matter to the attention of the Council in view of its fundamental importance, and also because the Prime Minister of the Union of South Africa, in a speech made subsequently in the Union Parliament, upheld the text used in this Treaty. The Commission concluded by expressing the hope that the Government (of the Union of South Africa) 'will be so good as to explain whether, in its view, the term "possesses sovereignty" expresses only the right to exercise full powers of administration and legislation in the Territory of South-West Africa under the terms of the mandate and subject to its provisions and to those of Article 22 of the Covenant, or whether it implies that the Government of the Union regards itself as being sovereign over the territory itself'. Here is a definite test case with regard to this important point, and although the question is still in process of solution, it shows very clearly that the Permanent Mandates Commission considers the difference between the legal status of colonies and mandated territories to be definite and real.[1]

In the same connexion it may be interesting to give another

[1] On 8 September 1927 the Council adopted unanimously, representatives of all the Mandatory Powers being present, a significant report which pointed out that the Covenant itself, other articles of the Treaty of Versailles, the mandates, and a series of decisions by the Council on such fundamental points as the national status of the inhabitants of mandated territories (who are not nationals of the Mandatory Power), the legal position of the former German State Domain in the territories (which can only be held by the Mandatory Powers in their capacity as such) had already solved this question of the legal relationship of a Mandatory Power to a territory under its mandate so far as the substance was concerned, and that any difficulties still existing must be of form only, perhaps due to the use of time-honoured terminology which was not appropriate to conditions new to international law.

illustration. In the case of certain mandated territories, for instance French Togoland and New Guinea, former German Government land in the territory was referred to in legislation as State land or Crown land. The Mandates Commission raised the question whether the Mandatory Powers considered that this public land was owned by them in their own right as Sovereign Powers or in their capacity as Mandatories, i.e. in trust for the natives, and the Mandatory Powers agreed that the second theory was the correct one. The Mandates Commission then suggested that as this was the case it would be as well to change the text of the legislation so that in law, as well as in its interpretation, the situation would be perfectly clear. The following quotation from the last report of the Mandates Commission tells the end of the story in the case of French Togoland. 'The Commission notes with satisfaction that the Mandatory Power, by a Decree of 13 March 1926, substituted the phrase "domaine du territoire du Togo" for that of "domaine de l'État", thus conforming with the principles of the mandate.' Similar changes in legislation have been made by the Australian Government to abolish the term 'Crown land' for public land in New Guinea, and to substitute the phrase 'land of the territory'.

No National Privileges in Trade and Commerce.

The second point which it is of interest to mention by way of illustrating the effect of the mandates system on the objections raised against imperialism is with regard to the preferential tariff system which was imposed, at least in many colonial areas, by the Powers in order to provide a surer market for their surplus manufactured goods. I have already alluded to the fact that, except in the case of the 'C' mandates,

an open door in the sense of equal economic opportunity is provided for; the mandates require, for instance, that there shall be no discrimination which will make it more difficult for American, Danish, or Bulgarian goods to enter the Cameroons or Togoland in West Africa than for British or French goods.

How has that worked in practice? So well, that the Mandates Commission has had practically no occasion to call attention even to a possible violation of this stipulation. In one or two cases there have been legislative texts which did not appear to be absolutely in conformity with this principle, but the Mandatory Power was able to explain that in each case the principle was in fact being observed, or that the practice would be made to conform at once to this requirement. But although this is the case, the Mandates Commission pays scrupulous attention to any action taken by the Mandatory Powers which may affect such an important principle, as the following extract from the last report of the Commission on French Togoland well illustrates: 'The Commission notes that refunds of customs duties, insurance, wharfage, &c. have been made to two French companies.' (That looked like a special privilege for French business.) 'The accredited representative explained to the satisfaction of the Commission that these are not purely commercial undertakings, but companies engaged in experiments of public importance.'

The Protection of the Native against the Dangers of Industrialization.

A third reproach often levelled against imperialism is that it has brought about the too rapid industrialization of native life. Natives are, it is said, made to work in the mines to their physical detriment; industries are built up for the enrich-

ment of the Whites at the expense of the Blacks in Africa. How has the mandates system dealt with that problem?

As already stated, all the 'B' and 'C' mandates provide definite regulations against the use of forced labour, except for essential public works and services, and then only when adequately paid. It was realized from the beginning that this phase of the work of the Commission was one of the most important and difficult, and one which was bound to grow as time went on. When the Commission was constituted, therefore, it was provided that there should sit on it a representative of the International Labour Office as an expert on labour questions, and in consequence it has had the benefit of the collaboration of Mr. H. A. Grimshaw, of the Labour Office for several years.

If you look through the reports of the Commission to the Council you will find that from the very start, and more particularly in recent years, there is no other subject dealt with more frequently and fully than labour—not only forced labour but conditions of labour in general. An endeavour is made to see that everything possible is done to prevent there being any justification in the charge that industrialization is being pressed too rapidly in mandated territories. I do not mean to imply by that that there are no abuses in mandated territories, but I wish to call attention to the special efforts made by the Mandates Commission to deal with this particular problem.

Take, for instance, a few lines from the Report of the Commission on the administration of the French Cameroons for 1925: 'the Commission will follow with interest the application of the measures which it is proposed to take to improve the sanitary conditions among the labourers working on the construction of the central railway . . .' and the following

concerning French Togoland for the same year: 'the Commission notes with satisfaction the declaration of the accredited representative, that the Administration has no intention of requisitioning labour for the construction, during the next three years, of the 90 kilometres of railroad from Agbonou to Agbandi,' and also in the following year such comment as this with reference to Tanganyika: 'the Commission also notes that the Governor is arranging gradually to replace porterage by motor-transport.'

You will find many other paragraphs dealing with the labour problem throughout this report, in particular among the observations on the little island of Nauru. There the Commission raises the question as to whether the British Government might not be able to arrange for more adequate compensation for the Chinese workers who are declared medically unfit to dig phosphate any longer, and are repatriated to China.

The Commission has, however, not confined itself to dealing with separate concrete cases which may have come to its attention. At the 6th Session it discussed at some length the general question of the necessity of maintaining a just proportion between the rate at which the economic equipment and development of the mandated territories should be proceeded with, and the amount of work which might reasonably be required from the native population. In consequence of this discussion, the Commission inserted in the list of questions drafted for the use of the Mandatory Powers in preparing their annual reports, the following far-reaching and important question:

'Does the local supply of labour, in quantity, physical powers of resistance and aptitude for industrial and agricultural work conducted on modern lines appear to indicate that it is adequate, as

far as can be foreseen, for the economic development of the territory?

'Or does the Government consider it possible that sooner or later a proper care for the preservation and development of the native races may make it necessary to restrict for a time the establishment of new enterprises or the extension of existing enterprises and to spread over a longer term of years the execution of such large public works as are not of immediate and urgent necessity?'

This is perhaps the best indication which can be given of the thorough and far-seeing character of the work done by the Commission on this important subject.

International Inquiry into Charges of Mal-Administration.

The fourth point which I think it would be interesting to deal with in this connexion concerns the charge made against imperialism of arbitrary and abusive treatment of the natives by officials of the Administration itself. We remember what was said about the Congo in the early days before it had come under the control of the Belgian Government and was still under the personal jurisdiction of the King of the Belgians. Although the 'B' and 'C' mandates do not deal in any detailed way with this particular problem, they do stipulate that the Mandatory Power shall promote to the utmost the material and moral well-being and the social progress of the inhabitants, and Article 22 of the Covenant lays down as the cardinal principle of the whole system that the well-being and development of those peoples who are not yet able to stand by themselves under the strenuous conditions of the modern world shall form a sacred trust of civilization.

We have had two outstanding cases where abusive and arbitrary treatment of natives in mandated territories has

been alleged. The first case was that of the so-called Bondelzwarts rebellion in South-West Africa in 1922, where machine-guns had been used by the police and military forces of the Union of South Africa against unarmed natives who had objected to paying certain new taxes. The delegate from the Union at the next Assembly announced that his Government had decided to make a special inquiry on the spot, the delegate from Haiti insisted on the importance of the matter and the Assembly itself pointed out the necessity of proper action in the way of inquiry and relief. The report of the special Commission of inquiry was laid before the Mandates Commission by the Administrator of the territory who had been sent all the way to Geneva by the Mandatory Power. The Commission went in great detail into the whole situation, expressed their views quite frankly on the action of the agents of the Mandatory Power and paid considerable attention to the steps which had been taken to alleviate the situation of those natives who had suffered.

The other case, which is doubtless more familiar to you, is that of Syria. That is a most instructive story from the point of view of the operation of the mandates system. You will remember that the people called the Druses were never fully conquered, even under the Turkish régime, and were dissatisfied with the way in which they were treated by some of the higher French officials early in 1925. They started a rebellion and succeeded in overcoming the first French force sent against them. The rebellion thereupon spread to Damascus, the seat of the Arab national movement in Syria, where the Arabs had never been very friendly to the French administration. The rebellion started in July, and when the Mandates Commission met in Geneva in October it was not clear exactly how serious the situation was, but it

was evident that the Mandates Commission would have to deal in an especially thorough manner with the whole problem. The French Government submitted a report for the year 1924, but the rebellion was taking place in 1925. The Commission considered that it could not spend its time examining a routine report for the previous year at a time when a revolution was taking place in the country concerned. It therefore asked the French representative whether his Government would supply a report on recent events at the earliest possible moment. The French representative replied that he was sure his Government would be glad to do so, and the Commission accordingly arranged to hold an extraordinary session four months later, in February 1926, in order to examine this special report on the situation in Syria.

When the special report came in conditions had improved but little if at all. The French Government sent their accredited representative, M. de Caix, a former Acting High Commissioner in Syria, to lay the report before the Commission and give supplementary information. The Commission met in Rome and devoted three weeks to Syria alone, although as a rule it would examine the reports on seven or eight different territories in that time. M. de Caix was questioned for two weeks, morning and afternoon, and the Commission went thoroughly into all phases of the administration of the territory and into the causes of, and possible remedies for, the rebellion there. The Commission's report to the Council was then drawn up. It was a critical document, as might have been expected, but no one considered that this was an unfriendly act toward France, for it was recognized that the Commission was simply fulfilling its duty, and in this connexion it is important to remember that nowhere had there been more criticism of French administration in

Syria than in the French Parliament itself, and that the report was adopted unanimously by the Commission on which a member of French nationality was sitting. At the same time the Commission set forth in detail their reasons for recognizing that the difficulties facing the French administration in Syria were very great. The population, particularly on account of religious divisions, presented a highly-involved problem, and once the rebellion had broken out it was realized that there were sound excuses for the taking of forcible measures. The report also made certain suggestions and recommendations as to the action which might be taken to improve the situation. It came before the Council in March 1926, and M. Paul Boncour, representing the French Government on the Council, immediately said, in the most sportsmanlike way, that he accepted the report.

This document, like other reports of the Commission, contained certain requests for further information from the Mandatory Power, and when the Commission met again in November last it had before it another and final report on the situation in Syria in 1926, containing almost all the supplementary information asked for and satisfactory explanations on many points raised the previous February. On this occasion, moreover, it received lengthy reports of special, independent commissioners who had been sent out by the French Government, in accordance with an announcement made at the Rome meeting of the Commission, to inquire into the allegations against the Syrian administration which were contained in the large number of petitions received by the Commission from the committee in Cairo, Egypt, which stated the case for the revolutionary element in Syria. The Commission found both then at the November meeting and during conversations with M. de Caix this year that

many of the recommendations made by the Commission in February 1926 had already been carried out by the Mandatory Power. It appeared, for instance, that much of the trouble in Syria was due to the fact that the local currency had been linked to the French franc and had fluctuated considerably, causing many economic difficulties. The Commission suggested that it might be well to introduce a more stable currency, and one which would make it easier to build up autonomy in financial and monetary matters. By November 1926 the accredited representative of the French Government was able to announce that his Government had taken definite steps in that direction by establishing the budgets for 1927 on a gold basis.

The Commission also stressed the necessity so far as subordinate French officials were concerned of following the mandate somewhat more strictly by showing the Arab population how to conduct their own government, rather than by imposing on them direct administration by French officials. The reports from the French Government since that time show that there has been a definite movement in the direction of allowing the Arabs not only to administer the country themselves but to work out for themselves the whole constitutional basis for the future administration of the territory. That is very definitely brought out in the last report of the Commission to the Council, where it is said: 'The Commission . . . notes that the framing of the Organic Law has been delayed in order that the Syrian and Lebanese authorities may themselves have an opportunity to work out the constitutional organization of the country.'

Positive Achievements in the Interests of Native Welfare.

In addition to what may be called the negative work of the mandates system, the way in which it has tended to obviate the objectionable features of imperialism, there is also its positive side, and in this respect it has been useful in working out problems in a way which the framers of the Covenant perhaps did not fully contemplate. The evolution of the mandates system is comparable to that of the League itself. The Covenant deals mainly with negative work, work for the prevention of war and to obviate the evils of the past, but the bulk of the work of the League to-day is not in that field; it is positive work of international co-operation in social, health, economic, financial, and transit matters. So also in the operation of the mandates system we find that it acts not only as a check to imperialistic tendencies but as a positive force to improve conditions in the interests of the natives. In almost every report of the Commission, for instance, there are several observations concerning public health; and the Commission displays great interest in problems of native administration and the economic welfare of the inhabitants. A detailed examination on public finance always takes place, to see whether the budget of each territory is in proper condition and whether the finances are being administered by the Mandatory Power in the interests of the territory. A great deal of attention is paid to the civilizing work done by missions and to the educational opportunities offered to the natives, as well as to the guarantees given to them so that they may not be deprived of their land.

I would like to give a few illustrations of what has been done in this field. For instance, in the budget of the territory

of Ruanda-Urundi, under Belgian mandate in East Africa, for 1924 there is a heading 'Extension of the Medical Service at the request of the Permanent Mandates Commission, salaries for doctors, &c. 300,000 francs'. That is a direct recognition by the Mandatory Power of a recommendation made the preceding year by the Mandates Commission concerning the public health facilities in that small but densely-populated territory.

On the question of public finance, the following extract from the report adopted by the Commission on the administration of Western Samoa for 1925–6 is typical: 'The Commission would appreciate such data concerning the wealth and cost of living of the average native as would enable it to form a considered opinion of the burden of taxation imposed on him.' Similar evidence of the positive work of the Commission in seeing that the burden of taxation is properly shared by the white and coloured populations will be found in its latest observations on Tanganyika.

In this connexion one of the most interesting records of the whole work of the Commission is contained in the report on its Tenth Session when for the first time the administration of Iraq was examined, and at which the policy followed by the British Government was set forth by its accredited representative as follows: 'Iraq governed for the Iraqi and by the Iraqi, helped by small numbers of British advisers and inspectors.' The Commission says: 'This statement made by the accredited representative [1] could not but make a favourable impression on the Commission.'

[1] Which is not quoted in full in this paper.

Some Conclusions.

I have tried to bring out the negative work of the Commission in preventing the recurrence of some of the objectionable features of imperialism, and also its positive work in stimulating the Mandatory Powers to adopt the highest possible standards in carrying out the provision of the mandates to the effect that they shall promote to the utmost the material and moral well-being and social progress of the inhabitants. I have sketched very briefly the procedure of international supervision exercised by the League of Nations especially through the Mandates Commission. None of us who are intimately familiar with the operation of the system would contend that it is perfect. A great many proposals for its revision have been made, officially and unofficially. It has been suggested, for instance, that petitioners whose written complaints are now received by the Commission might be allowed to appear and give oral evidence, also that a more rigid list of questions than those contained in the Questionnaires of 1921 might be used by the Mandatory Powers in order that the information given to the League each year might be more complete, and again that it might be well for the Mandates Commission to visit mandated territories to secure for itself a more intimate knowledge of conditions in the different territories. Some of these proposals have already been rejected by the competent League authorities, and whether any of them will be accepted, and to what extent the mandates system will have to be altered in the future it is impossible to say. The fact that these points are coming up, however, shows that the system is still in the pioneering stage and has not become irretrievably bureaucratic and ironclad.

Although there may be objections to certain aspects of the system as it stands to-day, it does seem to me there is general agreement on the value of certain of its features. In the first place, I think it is true to say that the mandates system has definitely countered the principal objections raised against imperialism and is a safeguard against the abuses which sometimes accompanied the exploitation of backward areas during the last half of the nineteenth century. It may be asked, however, why if that is true the great Powers still want mandates or are willing to accept mandate responsibility. I wonder whether this desire for mandates means that certain of the old features of imperialism—the right to impose preferential tariffs, to the exclusive exploitation of raw materials, to unlimited sovereignty and the right to use backward areas as an outlet for surplus population—are of practically no value after all, and that therefore, the imposition of the mandates system has not proved so detrimental to the national interests of the Trustee Powers as is commonly supposed. This is a larger problem than we can attempt to discuss to-day, but a very fascinating one indeed, and I would especially refer those interested in it to 'Imperialism and World Politics' by Professor Parker T. Moon of Columbia University.

In the second place, the mandates system, through the very full reports published annually by the Mandatory Power, (which may be contrasted with the non-existence or with the briefer or more irregular appearance of reports on colonies and protectorates), and the Minutes of the Mandates Commission is constantly making more and more knowledge available concerning the conditions of life among native peoples, and the problems attendant upon the administration of the districts they inhabit.

Thirdly, the mandates system has set up a definite and high standard of colonial administration which will almost inevitably be used to judge all other efforts to govern so-called backward areas. The mere setting up of such a standard is a great step in advance. In addition, the mandates system provides a method of checking, limiting, and remedying abuses which might not be so effectively dealt with otherwise. It also does positive work by encouraging Mandatory Powers to the highest achievement by giving them an opportunity, through the Mandates Commission, the Council and the Assembly, to let the world know what they have done in the interests of the natives, in public health work, education, and the building up of self-government in these territories.

Fourthly, the mandates system constitutes in the broad sense a court of appeal for the natives and those interested in their welfare in other parts of the world against the administrative authority itself; fifthly, it affords a certain amount of protection to the Mandatory Powers against unjust criticism of their administration, and thus helps to strengthen their position by giving them the support of an impartial board of inquiry; and finally, it places the Powers who have accepted as trustees the duty of guiding the evolution of more primitive peoples in a position of responsibility to the nations of the world as a whole, and at the same time ensures for them the collaboration of the forces at the disposal of the League.

These are certain of the points which occur to me as illustrating in the abstract some of the advantages of the mandates system. Perhaps the situation would be even clearer if we were to think for a moment in the concrete. Compare, for instance, Portuguese Africa, with its preferential tariffs, with French Cameroons, where they are prohibited and where the door

for trade and commerce is open on equal terms to all nations; or the situation in Syria and the very rigid examination of the administration of that area while the insurrection was in progress with the situation in the Philippines, where at times the American authorities have been under fire for their practices and their methods, and where it would be impossible for the administration of the territory or for the authorities in Washington who are responsible for it to be in any way subject to supervision by an international board of experts such as the Mandates Commission of the League. I believe that if we look in some such way not only at the theoretical but at the practical differences between the government of mandated and non-mandated territories we will have a clear picture of what the mandates system really is.

CHAPTER IX

THE OPIUM TRAFFIC AND THE WORK OF THE SOCIAL SECTION OF THE LEAGUE OF NATIONS

Dame Rachel Crowdy:

IT may be said with truth, that you may reduce the cruisers of the world, you may cut down armies, you may disarm men, but unless you improve the social and the economic and the health conditions in the world, peace, once obtained, can never be maintained. It is more than seven years now since the League first established itself as a political entity in the world, and in those years it has carried on its social work in as active a manner as it has its political.

During these years, in connexion with its social work the League has done much to clear up immediate post-war problems of a temporary nature. There is the case of which you have all heard, of those 400,000 men still prisoners in Siberia in 1921—men drawn from twenty-seven nationalities, who are back in their homes now as the result of League action. I am thinking, again, of those million and a half refugees scattered throughout Europe as a result of the Russian revolution. More than half of that number have now been re-established in life. And as for one of the other problems with which the League deals, that problem of the rescue of women and children deported in the fighting in the Near East, Miss Jeppe, the League's Commissioner for those deported women and children, writes that by the end of this year the work of the commission will come to an end, because any woman or child who can be rescued will have been rescued. You see that in dealing with that

type of problem the League has, to a great extent, helped to tidy up a post-war world.

I remember well the Council Meeting of the League, when the problem of the repatriation of the prisoners from Russia and Siberia first came up. The proposal was submitted to the League by the two Red Cross Societies, the Comité International and the League of Red Cross Societies, and they both said the same thing. They said that the Red Cross Societies of the world had tried to get those people back, that various Governments had given their help and their money, that voluntary associations, international and national, had struggled with the problem, and still those people were there —could not the League help? One rather reactionary member of the Council—it was in its very early days—got up and said, 'This is not the type of work the League should undertake. We were supposed to have a more or less tidy world to deal with before we started our peace work.'

Then M. Bourgeois, who was the first French Member of the Council, and perhaps the wisest and most humanitarian member we have ever had on that body, looked up and said, 'you cannot heal a wound, whether it is a wound of the soul or the body, unless you clean it first'; and as a result of that remark of M. Bourgeois the League undertook the work of repatriation.

There is one other question I should like to touch on, *en passant*, before I get down to those main problems; the suppression of the traffic in women and children and the traffic in opium, and that is the 'Slavery Convention'. I do not know whether you all know—I certainly did not know it myself eighteen months ago—that there are still seventeen countries in the world where slavery exists in some form or other. Now, as a result of League action, the co-operative

and co-ordinated action of the Members of the League, a Convention has been drawn up, signed and ratified by a certain number of countries, which we hope will put a stop to that slavery. I do not claim, and I do not suppose that any State Member of the League claims, that the Convention is a perfect one, but it is far better than anything that has been done up to the present time, and I think its effect is already being felt in the various countries that have become parties to the Convention.

I have been asked to-day to talk mainly on the two subjects—the suppression of the traffic in Opium and the suppression of the White Slave traffic—with which the Social Section of the League deals especially. Now, I was very much surprised, in looking at a pamphlet issued, I think, by the League of Nations Union, to see a statement to the effect that when the League took over these two subjects it found it easier to handle the traffic in Opium because a machinery was already in existence. I have had something to do with the handling of both those subjects, and I should say that if one of those two things was slightly easier than the other to handle, it is the suppression of the traffic in women. The moment you get down to suppressing your opium traffic, you are faced again and again with the same difficulty—that there is a perfectly legitimate use for opium and for morphia. In every restriction you make to stop the illicit traffic you have to consider what effect it is going to have on the legal traffic of the world. That, again and again, has confronted the Committee and the Opium Conferences which have sat here, as a very great difficulty.

You probably know that there was a Convention drawn up in 1912 in connexion with the control of dangerous drugs. There is probably no better instrument for suppressing an

evil than that particular Convention. On paper it seemed to be a most admirable document when, in 1919, it came to be studied seriously. Yet, when the League took over the work of trying to suppress the traffic in that year, the Convention, though excellent, as I say, on paper, had been ratified by comparatively few countries. The Signatories to the various Peace Treaties automatically became parties to that Convention. It is something to say to-day, after the seven years' hard labour done in connexion with opium, that 56 countries are full parties to that Convention, and of those 56 countries 50 are States Members of the League.

Now, the principal cause of the illicit traffic is an over-production of habit-forming drugs. That is a very simple statement to make, and I should not think it could be contradicted by anybody, but there is a hard question to answer when one asks to what that over-production of drugs is due. That is what the League Committee for the suppression of Opium and the League Opium Conferences have tried to find out. First, of course, it is due to a very great over-cultivation of raw material, too great a cultivation of the poppy all over the world, too great a cultivation of coca leaves. Then, again, it is due to an insufficient control of factories. That statement of mine, might, I imagine, be disputed by certain countries. Personally, I cannot think of a single country where control of the factories is such as to make a leakage of drugs into the illicit traffic, impossible.

Then, again, another cause of over-production is undoubtedly, or was undoubtedly, an unenlightened public opinion. I know that when the League first took over this campaign there was hardly any interest in any country. America, of course, had become interested because she had found that she was becoming a country of addiction, and she had put

through excellent laws and was making a great effort to enforce them. England was conscious that there was a possibility of addiction coming to her, as to other countries, and there were two or three other States specially interested which threw themselves into the campaign. But on the whole there was no awakened public opinion, and there again I think one can show that the League has done something. Through holding its meetings year after year, as it has, in public, through the holding of its two big Opium Conferences and through the publicity it has given to the various big seizures made of dangerous drugs, it has undoubtedly made the opium problem a world-wide problem now. One cannot now take up a newspaper in any country without seeing either that a Committee has been set up in connexion with opium, that some great seizure has been made in connexion with drugs, or that some penalty has been meted out for illicit transactions. I should like to tell you in connexion with that of two rather useful measures which the League has put through in connexion with these seizures of drugs. Six years ago, five years ago, even four years ago, if a country made some big seizure of illicit drugs it probably let the country from which those drugs had come know, but the world as a whole never knew. The world never knew the names of the firms who had manufactured the drugs; it never knew which forwarding agents were specially incriminated in connexion with drug traffic; in fact, it knew very little of the whole thing. Then three years ago, one of the representatives on the League Advisory Committee—I am glad to say that on this particular occasion it was an Englishman, Sir Malcolm Delevingne—made a proposal that every seizure made by any country should be reported to the Secretariat of the League, and that the Secretariat should then circulate to each State

Member of the League and every Party to the Opium Convention of 1912, full details of that seizure. It sounds rather a simple thing; in fact, it has had a very far-reaching effect. During the first year, after this recommendation was approved we only had about 50 seizures reported to us. Then the Governments found that they were incurring no risks of trouble by reporting such cases and the following year about 200 seizures were reported to the League, and since that date, over 800 seizures have been reported to the League and reports of every one of those seizures have been circulated in full detail to the States Members of the League. That means that the details of the country of origin, of the firm which manufactured the drugs (if we know them), of the forwarding agents, of the ship that carried the drug, and any further information obtained by the country regarding the seizure, are circulated. I had an opportunity in a certain country last year to ask the head of the Narcotic Section whether in his opinion any good had come out of this system, and his answer to me was that again and again he had been able to trace men whom he had previously suspected as drug-traffickers because their names had figured in reports of other countries. The importance of giving the names of firms who have become connected specially with illicit traffic is, I think, proved by the fact that on more than one occasion I have had letters from angry manufacturers of drugs asking why their names have occurred again and again in these lists published by the League. No firm likes to see its name figuring time after time in connexion with the illegitimate drug traffic!

Another system devised by the Advisory Committee has born good results, that is a system of import and export certificates. That, to a certain extent, has tightened

up the control of the commerce in drugs, and has made illicit traffic more difficult. For example, if I, as a French manufacturer of drugs, wish to export morphine to England, I can only do so if my country provides me with an export certificate, and my country, France, will only supply me with an export certificate if the importing manufacturer in England sends an import certificate from his Government saying that the drugs are required for medical and scientific purposes. That system, to begin with, was very hard to put into force. To-day 36 countries have the system in force, and feel themselves both morally and legally bound to enforce it.

There is one person in the room to-day who, I know, is particularly interested in the question of the limitation of raw material to the amount required for medical and scientific purposes. Two and a half years ago, when the Opium Conferences sat in Geneva, many of us hoped that the first action of those conferences would be to include in a new Convention a clause limiting the amount of raw material to the amount required for medical purposes. The effort to include such a clause failed. The main countries of production, we were told, were Turkey—neither a member of the League nor a party to the Hague Convention—Persia—a member of the League but not a full party to the Hague Convention—China—with her present political difficulties, and India, where the traditional habit, whether it is a right one or a wrong one—I do not propose to go into the ethics of the matter—has existed for some hundreds of years in connexion with the eating of opium. We were told at the Opium Conference that the very special circumstances of these producing countries made it absolutely impossible at that moment to include such a clause, and I, among others, felt when the

Conference came to an end, that it had to some extent failed because of that omission. And yet, to-day, one realizes that the publicity of those Conferences, the discussions and the debates have led to something very important in regard to the limitation of production, for India a year ago passed a law to the effect that she would reduce her export of opium to the world market, 10 per cent. a year for ten years, until, at the end of those ten years, her exports would have ceased. That would have seemed absolutely impossible to us at the time of the Conference, and yet to-day it is actually happening.

Then, again, Persia, a great producing country, said only a few months ago, at the March Council of the League, that as a result of an inquiry which the League recently sent to Persia to advise the Persian Government on the substitution of crops, the Persian Government was prepared to put before its Parliament a law under which Persia would reduce her production of the poppy 10 per cent. a year for three years. That was to begin three years from now, and then what seems to me a very wise clause was added, that at the end of three years Persia would see what other countries were doing and would then reconsider the situation in the light of the progress made in those countries.

In addition, the Persian representative said that a recommendation was to be made to Parliament that priority loans should be given from the State Bank to any farmer who would grow crops other than opium crops, and that any man who would substitute some other crop for an existing opium crop would be exempt from taxation for a period of five years. Again, to those of us who know of the attitude taken by some of the producing countries three years ago at the Opium Conferences those undertakings, given by two out of the four big producing countries, seem a miracle, I am certain

that those miracles are due to the discussions and debates and to the publicity given to the subject at the Conferences. You all know Emerson's famous remark, 'Better be a nettle in the side of your friend than his echo'. I think that the stinging friendship of some of the crusaders at the Opium Conferences undoubtedly assisted States in making decisions such as those to which I have referred.

There is very little more that I can say on the Opium problem without going into difficult and rather technical details, details more technical than is possible in the time allotted to me; but if any member of the audience wants to ask questions afterwards I will answer them so far as I am able.

The other subject, which is specially near to my heart, perhaps because it was the first matter ever taken up by the Social Section of the League—is the suppression of the traffic in women and children. Some of you probably feel very much as I felt seven years ago. I wondered if this thing really existed, or if it was something that existed mainly in the minds of the nervous people who make big stories out of small things, and in the minds of organizations which, having once started a campaign against an evil, do not always realize when that evil is overcome. Even after three or four years of work in the Advisory Committee for the Suppression of the Traffic in Women and Children, we had no overwhelming evidence as to the existence of the traffic on a large scale, though many of us were convinced that it did exist, and so an Expert Committee was asked to make an extensive inquiry and to report to the Council of the League on the extent of the traffic. This proposal was made by an American, Miss Grace Abbott, the Head of the Child Welfare Bureau at Washington. The money for the investigation was given to the League by the Bureau of Social Hygiene. Without

that suggestion, and without the funds given to us by that organization, I do not say that the inquiry would never have been made, but the inquiry would probably not have been made for some years.

The Commission of Enquiry consisted of five or six people. They said, 'We have got to find out the extent of the traffic. Shall we go to the Governments for information, shall we go to the competent voluntary organizations for information, or shall we try and do something still further in order to carry out our investigations?' The decision finally reached was that it would not be sufficient to get the reports from Governments, it would not be enough to get reports from voluntary organizations and the experts decided to find eight or ten courageous and resourceful people and to get those men and women to go right down into the underworld. Those people were found and they did go down into the underworld. All those people, at some time or other of the three years' inquiry took, I think, their lives in their hands, for they were not travelling as ordinary individuals, but they were posing as traffickers. They visited twenty-eight countries of the world and conducted their investigations on the spot. In addition to that, the experts received reports from Governments. The first thing the experts had to determine from those reports was obviously, is there such a traffic? To that, the answer of the experts, as given in their report, is very emphatically Yes—a very large traffic run on very large lines. They based this statement mainly on two things: firstly, on the fact that in certain countries, in the brothels and in the licensed houses between 70 and 80 per cent. of the women were of foreign nationality, and secondly, on the fact that the traffickers themselves talking, as they believed, to other traffickers, said

always the same thing: 'We have to bring the girls along with us, we have to misrepresent things to them—they have not the initiative to travel by themselves; they would never think of going if we did not take them.' On those two facts, the high percentage of foreign women in brothels and licensed houses, and the fact that the men of the underworld themselves boasted of the number of women they took on each voyage, the commissioners based their statement that a traffic existed.

I remember particularly the case of one trafficker who told one of our investigators that he had done six journeys in that year between Europe and South America, and that every time he had taken at least three or four girls with him.

Then again, the experts asked themselves, 'Is there a super-trafficker? Is there a man sitting, so to speak, at the receipt of custom, and running the whole of this very big machine?' And there their answer was equally emphatically No. They found nothing of the kind. They found no organization controlled by one man, or even by a small group of men, but they found what they themselves described, very grimly I think, as 'a universal cameraderie'.

The experts asked themselves and, of course, this may all be found in the report, 'What really encouraged the traffic? Why was there such a market? Why were these traffickers always certain that however many girls they got they could always pass them on?' That, of course, was a hard question to answer. They found, of course, what were looked upon as definite needs which the traffickers supplied. They found that wherever fleets were in port the traffickers realized that by rushing up large numbers of women to the spot in the same way as you would rush stores to a medical base, they could meet a demand. Further, in those countries where there was

a very much larger percentage of men than women, the traffickers felt sure of their market. And then last, but not least—and this is really perhaps the most important thing in the whole inquiry—the experts decided that the system of licensed houses (which, as you know is the system by which brothels are controlled, licensed and supervised medically by Governments) created and contributed to the permanent market. That is particularly interesting—for six years ago, when our Advisory Committee sat for the first time to consider licensed houses and regulation was mentioned, I remember very well that the meeting was held in secret, a member having said that, in his opinion, the question should not be discussed at all as it was a national and not an international question. And yet to-day—although again and again in the past, members of the Committee and even at one time the Council itself, have warned the Committee to 'go slow' and not to interfere in what might be considered a national affair—to-day, in the unanimous report prepared by a League Committee, presented to the Council and approved by the Council, this condemnation of the system is included. That marks, perhaps, the biggest step of all in the social work done by the League.

I do not want to make you believe for one moment that many of the girls found in the traffic would not have led very much the same life in their own country, although of a less terrible kind than they did in the foreign country. But again and again our investigators heard the same thing from this type of girl—that she never would have gone if she had realized the things that were going to be asked of her, the life she would be expected to lead. Two examples come particularly to my mind, because they were both given by traffickers, again in the belief that our investigators were in

the business themselves. They represent two sides of the same terrible problem. The first was a case when a trafficker said to an investigator of ours, 'We had to send her home, because she starved rather than listen to reason'. The other case of which I am thinking which seems to me infinitely more pathetic, was where the trafficker said to our investigator, 'The girl fought the life at first, but she listened to reason rather than starve and now she is perfectly happy'.

Of course, there are endless circumstances that operate in favour of a woman getting into such a traffic. We found, in addition to the 60 or 70 per cent. of women who would, in their own country have plied the same trade, girls who had never led a life of commercialized prostitution before, but had been attracted by offers of jewellery and a certain amount of money, theatres, dancing and various things which they could not have bought for themselves. They were very easy victims, of course. Then again, we found that conditions were made almost impossible in certain countries for the small variety artistes, the travelling artistes. I am thinking of one country, where a law exists to the effect that when a member of a small dancing or singing company lands she has immediately to be registered as a prostitute and medically examined. You see the result of a law like that! Then again, we came across a contract of the most terrible type given to a dancing girl. The girl was to be paid 5 francs per day. For that amount she was to dress herself and she was to provide one new entertainment a week, she could be dismissed at any moment for any one of twenty reasons, she had to pay 1,000 francs which is about £40, if she broke her contract and, in addition she was fined if she ate any meal outside the building in which she danced. That speaks for itself, I think. That girl was getting roughly thirty shillings a week, out of which

she had to feed herself at an expensive and popular dancing place, dress herself, board herself, and live as best she could. That is the type of contract which is more calculated to put girls into prostitution, and probably into an international traffic, than any other. Moreover, in that type of contract you very often find a clause which says that the girl may be moved. It does not say she may be moved all over the world, but may be moved to a contiguous country. That is the thin end of the wedge. Again, I remember a particular clause in this contract which said that the girl must show courtesy to any request made to her by a client. There, again, I think that contract speaks for itself.

Now a great many people who have read the report of the experts have complained to me that it is too cold and objective, that it might, in fact, have been more emotional. I do not belong to that group of people at all. The experts deliberately presented their case, because the facts were so horrible in themselves, in the coldest possible manner, quite intentionally shorn of all picturesque indignation; and I think that if any of you feel it worth while to get the report and read it, you will agree with me that its strength lies in its objectiveness.

But one has seen a great deal of progress in countries during the last four or five years. I have several examples in my mind. For one thing, when we first began this experts' report in 1924, one of our investigators went to Cuba. He went on an introduction given to him by a trafficker; he saw every type of horror, and the report he brought back was thoroughly bad. The investigator talked to the police and to the Government authorities there; he realized that they wanted to improve matters. That investigator went out at the end of last year again to Cuba, but before he went he

visited that same trafficker who had given him the introductions before, and asked him again for introductions in Cuba. The man said to him, 'Well, I will give them, but I don't advise you to go now. Things are very different from what they were when you were there, the police are stiff, and are looking out for trouble. They are deporting their undesirables'; and he added, 'A man cannot make an honest living there now!'

I am also thinking particularly of Japan in connexion with progress. I was asked by some young students last night what country I would name if I were asked where the greatest progress of all had recently been made in social matters. I answered Japan. I remember when Japan first came on the Advisory Committee her representative sat particularly silent, took part in no debate, and merely listened. But there have been two or three things done recently by Japan which are an advance on what is done by the rest of the world. For one thing, Japan has let her Consuls know in every country that she wants all Japanese prostitutes from those foreign countries repatriated to Japan at the expense of Japan. That is unique, as far as I know, in the world's history. Then, again, Japan has recently raised her marriage age for girls to 15. That does not sound very high, but a great many of you here would be surprised to know that it is a strikingly good example to our nations, and when I say our nations I am thinking of the British nation and the American nation, for with us in England our marriage age for girls is 12 and in America you still have six or seven States where your marriage age is 12 for girls. And yet Japan has raised her marriage age now to 15 and Turkey has raised her age to 15—as I say, not a bad example to the so-called civilized countries of the world, who keep their

marriage age low, comforting themselves with the reflection that such a young marriage very seldom happens, but quite forgetting the effect that their example may have on the smaller or less advanced countries. I could give you eight or ten examples of progress, but I will not. I would like to tell you very briefly what were the remedies proposed by the experts. The remedy which they put in the forefront is of interest because it points to the typical thought of to-day. They put first and foremost an enlightened public opinion throughout the world. If public opinion throughout the world really realized that in certain countries in Europe, a child of 10 is only protected from assault if it can be proved that she is previously chaste, if it were realized that women are 'rushed like medical stores to the scene of a disaster', if it were realized that right in the very heart of Europe not only women but children (and I regret to say that our investigators did find in some of these houses frightened and bewildered children) are registered in licensed brothels, if it were really realized that girls are starving to death rather than 'listen to reason' and that contracts such as the contract of which I have been speaking to-day are in existence, do you think for one second that civilized public opinion would stand it? I am perfectly sure it would not, and for that reason the experts felt that first and foremost must come an enlightened public opinion, that we must know if these things are happening in our countries, that we must not be afraid of speaking of them, and we must insist that wherever we can find circumstances that operate in favour of evil-doing of this kind, it shall be put a stop to.

The experts also put forward as a most important remedy, and there again the thought of the present day is reflected, the better education of the young in a sense of their moral

responsibilities. It was felt, they said, that if only the young could be made to realize their responsibility they would think twice in regard to some of the follies they commit. The experts recommend, again, other reforms—that the legislation previously recommended by the Advisory Committee should be strengthened, that agencies for foreign employment should be more strictly supervised, that the age of marriage should be raised in those countries where it is low, and that the age of consent should be made sufficiently high to afford proper protection to the young. Above all, the report concludes—and here I quote the words of the Report:

'It behoves those Governments which place reliance on the old system of preventing the spread of venereal disease by licensing prostitution to examine the question thoroughly in the light of the latest medical knowledge, and to consider the possibility of abandoning a system which is fraught with such dangers from the point of view of international traffic.'

CHAPTER X

WORLD TRANSIT AND COMMUNICATIONS

Mr. R. Haas:

THE Chairman has already told you that the problems which my Section has to deal with do not lend themselves to spectacular treatment. It is, however, possible to see in the problem of world communications not only a group of technical adjustments but a subject many of the aspects of which interest the economic and political life of the various countries. It is because the problem of communications has so many aspects which interfere with the political and economic life and the intercourse of nations that from the beginning the League of Nations has considered it its duty to deal with the subject.

The economic importance of communications is obvious. If the world in its political aspect has to take economic problems more and more into account it is obvious that it is impossible to neglect one of the most important elements in the economic life of nations, namely conditions of transportation. I should like, however, to refer to a point which is not so evident, namely the political importance of some of the problems of communications, particularly in the world as reconstituted since the war. I will give you but one example. Most of the European countries depend on imports and exports for their existence, and it is necessary for them to have some kind of free outlet to their markets if they are to live. If it is not possible for them to obtain that freedom of communications by peaceful arrangements and by international co-operation, there arises a possible source of political

friction and even of war. In the past there have been wars at the background of which was an effort to obtain domination over the routes necessary for commerce and transportation.

For these different reasons, although the authors of the Covenant of the League of Nations had principally in view political co-operation between nations, from the beginning they inserted an Article in the Covenant making it an obligation upon the Members of the League to guarantee freedom of communications and transit. It is on the basis of that Article, on the general idea of freedom of communications and equitable opportunities in the field of communications for all nations, that the work of the League has started and has developed.

Having indicated the main principle of our work, which consists mainly in the gradual development of stable international law concerning communications, I should like to indicate the method which has generally been followed to prepare and to achieve what we have been able to do during the few years we have been at work. I think there is some originality in that method, which has since been employed in connexion with other matters. Until recent years, when dealing with international problems, including those of a somewhat technical nature like communications, the only method available was that of diplomatic negotiations and treaties. It was certainly possible to handle in that way problems which affected only a small number of nations. When problems affected a great number of nations or were by their nature rather technical it is obvious that to utilize the ordinary machinery of diplomacy involves a long and cumbersome process.

The only method which seemed appropriate was to create

direct relations and direct contact between the people in the different countries who are handling these problems and are directly responsible for their solution, and that method was adopted. Our work is based on the direct collaboration of the technical experts of all countries. From time to time there is summoned by the Council of the League what is known as the General Conference on Communications and Transit. All interested nations, whether Members of the League or not, are invited to send representatives to these Conferences. These representatives are either themselves, or bring with them, responsible chiefs of the departments in their own country interested in the particular problems of transport which are to be dealt with at the Conference. The result is that not only is it much easier for the people so assembled to agree than it would be to reach agreement by the long procedure of diplomatic conversations and negotiations, but a common spirit akin to friendship is created among the delegates. We have found that one of the best ways of creating an international spirit is to bring together people interested in the same kind of problems in the various countries and let them work out a solution of the problems which confront them.

We have had up to now two Conferences of this kind, and we are holding a third this month. These General Conferences, of course, cannot deal with all the details of the problems which arise day by day; they deal only with particular problems involving questions of principle. More especially their work is to conclude general conventions which are considered necessary in order to create an international law of transport. In that way the first Conference, which met at Barcelona in 1921, drafted and concluded a General Convention on Freedom of Transit and a General Convention on

Navigation on International Rivers. The second Conference drafted and concluded a Convention on Railways and a Convention on Ports and Maritime Navigation, together with some less important conventions on hydraulic power.

All these conventions are to some extent quite new. This is the first time that an effort has been made permanently to regularize the conditions which govern the policy of Governments in regard to transport. There were already in existence many conventions dealing with technicalities, but up to 1921, except in very restricted fields like posts and telegraphs, there had been no attempt to draw up principles having permament value and enforce strict obligations on the various States in regard to what ought to be the policy of the various Governments in the utilization of means of transportation. That has now been done. The Convention on Freedom of Transit grants freedom of transport in transit through all countries, that being transport which crosses entirely the territory of a country. The Convention on Navigable Waterways guarantees equality between the flags of all contracting nations on international waterways. The Convention on Railways embodies a similar principle as regards the use of railways. The Convention on Ports and Maritime Navigation, which is perhaps the most important of all of them from an economic point of view, is based on equal treatment for all flags in the use of maritime ports.

This system, when entirely embodied in international law, has the result that many problems, which used to be the object of discussion between nations and were sometimes pretexts for reprisals, will be considered just as much outside the ordinary field of politics as the question of postal arrangements. They will constitute ordinary problems of international administration.

One element in all these conventions which I should like to point out is that all of them provide for compulsory arbitration or judicial settlement of all disputes relating to their interpretation or application. Before the judicial settlement they provide for a procedure of conciliation before a technical body known as the Transit Committee of the League of Nations, about which I should like to say a word.

I have already told you that the General Conferences cannot meet except at fixed periods and to deal with particularly broad problems. For other work there has to be another body, more supple and able to deal with problems which cannot wait so long for solution, as well as with problems of insufficient importance to be brought before the Conference. This body has also to prepare the work for the Conference and to supervise in the various countries the application of that work. In order to undertake these duties the Transit Committee of the League has been created. It is composed of a small number of persons who are all specialists in questions of transport. Each country permanently represented on the Council designates one member, but the majority of the members of the Committee are designated by nations elected for that purpose by the Conference. The Committee is therefore constituted on very democratic principles since the majority of its members have to enjoy the confidence of all countries, as expressed by the vote of the Conference, and the Committee is responsible to the Conference for its technical work.

The field of communications is so broad and contains so many special sections that it has been necessary for the Committee to create its own instruments for special work. There is a sub-committee on transport by rail, a sub-committee on

road communications, a sub-committee on ports and maritime navigation, &c.

Quite apart from preparing for the work of the Conference the Transit Committee has done a great deal of other kinds of work. In particular it has dealt with the problem of the passport régime, and on its advice the Council has summoned special Conferences on passports, with a view to improving conditions in that respect and of suppressing as far as possible the formalities imposed by the passport régime. By preparing for the work of a special conference it has dealt with many technical problems which affect international communications. It has succeeded in securing an agreement, which has now been ratified by almost all European States, including those not Members of the League, to unify the régime of measurement of tonnage in inland navigation and to suppress formalities of that kind at the frontiers. It is endeavouring to obtain the same result for maritime navigation. It is trying to create a unification of the conditions of lighting and buoying the seas, to ensure the safety of navigation.

I do not want to enter into many of these technicalities, but I should like to point out two kinds of activity pursued by the Transit Committee. One is comparable, in its restricted field, to the general work of the Economic Section of the League. The Transit Committee has considered it as one of its main duties (its attention was called to the point by the Genoa Economic Conference) to help in the restoration and development of means of communication in the various continents, and for the moment particularly in Europe. With that end in view it has organized inquiries on the situation of railway transport, and more recently on the situation of inland navigation. It has received communications from all interested Governments in that respect, and in

cases where the importance of the problem or the difficulty seemed to require it, it has sent to the spot, in agreement with interested Governments, special experts to make a report In that way a Committee of Experts has been sent on behalf of the Transit Committee to Poland to study the improvement of inland navigation in that country, and a general inquiry has been made into the very difficult and important international problems raised in connexion with the navigation of the Rhine and the Danube. An inquiry was conducted on those rivers and entrusted to Mr. Walker B. Hines, who was Director of Transport in the United States during the war. This kind of work is not finished—it is never finished—but so far as Europe is concerned it seems for the moment that there is no need for a further inquiry. On the other hand, the Committee felt that such methods would be useful in other continents, and perhaps particularly in young continents in the course of development.

Another of the activities of the Transit Committee is its work in conciliating international disputes relating to transit matters. I have already told you that the conventions drawn up by the General Conference all provide for the friendly settlement of disputes, and the first stage in this is always conciliation before the Transit Committee of the League. Quite apart from that, it is open to all countries to use the machinery of the Transit Committee to settle in a friendly way disputes relating to communications. The Transit Committee has already had three disputes of that kind before it, one concerning railways between the Saar and Germany, one concerning the international régime for the Oder and one concerning the jurisdiction of the International Commission on the mouth of the Danube. In some cases the proposals of the Transit Committee have been accepted and the dispute

has ended. In another case the dispute has been brought before the Permanent Court of International Justice, but in the meanwhile the atmosphere created between the parties to the dispute was so good that they decided to continue negotiations under the auspices of the Committee.

The Transit Committee can therefore be considered as the first permanent committee of conciliation which has been created, and it has certainly acted as a precedent because there are now many treaties between various countries which provide for the same kind of system for the settlement of all disputes, namely the creation of a body to give friendly advice at the first stage and at the second stage the judicial settlement of the dispute. Up to now, as far as transit questions are concerned, the system seems to have worked fairly well.

There is one problem which has been dealt with by the Transit Committee which I should like to mention, and which does not seem at first sight to have any connexion with transport: the reform of the calendar. In dealing with that question the same procedure as in connexion with other matters was used, namely that of bringing together experts and representatives of the various interests concerned and constituting them into a committee to draft an impartial report. What was particularly interesting in regard to this question was that the interests involved were not solely national. The Transit Committee succeeded in composing a committee to study the reform of the calendar which included a representative of the Holy See at Rome, a representative of the Archbishop of Canterbury, a representative of the Patriarch of Constantinople, an astronomer designated by one of the most important international astronomical organizations, a well-known international lawyer, and the President of the International Chamber of Commerce. In

that way an equilibrium was maintained between the various pre-occupations in regard to the question. What is more curious is that the Committee succeeded in drafting a report, and arrived at more or less concrete proposals. They arrived more particularly at concrete proposals with regard to the fixing of Easter. So far as the general reform of the calendar was concerned they dealt more in generalities, but they classified the various problems and made alternative suggestions which the various nations will require time to reflect upon. That instance went to show that if one was bold enough to bring together the people who had the greatest tendencies to disagree there was a chance that they would want to do something and would agree on something. That is the method we have tried to apply in the field of communications, and it is the method principally used by the League in dealing with all its problems.

CHAPTER XI

THE LEAGUE OF NATIONS AND THE HEALTH OF THE WORLD

Dr. Norman White:

THE last time I spoke about the health work of the League of Nations was in a country very far distant from here: on that occasion I was asked by a prominent official, who is very interested in the League, a question which may very well serve me as a text to-day. He asked, 'Is not the main object of the League of Nations to prevent war? If this is so, what are you doing, a health worker, travelling about on behalf of the League?' Hearing it put like that, I felt very unimportant; but I denied that the main purpose of the League is to prevent war; its enormously more important work is to organize peace. If you have grasped that fact, the *raison d'être* of the health work of the League of Nations springs into evidence: perhaps the most international thing in the world is disease. Disease has a habit of ignoring national frontiers, unless they be the frontiers of an extraordinarily well-organized state from the point of view of public health.

The work of international co-operation in connexion with the prevention of disease did not begin with the League. One is sometimes apt to think of the League as something entirely new, dating from the Treaty of Versailles; but the roots of many of its activities go back many centuries. A short historical survey of certain of these matters may be of interest to you, and may help you in understanding some of the work which the League is trying to do and is doing to-day. I

should like to refer briefly to the history of quarantine. That does not sound exciting, but it is really a very interesting subject. If one excludes the segregation of lepers eight or nine hundred years ago, and the attempt to prevent the invasion of Northern Europe by syphilis towards the close of the fifteenth century, all early quarantine measures were concerned with plague, and nearly all with plague in the East, or rather with preventing plague being carried westward by ships engaged in the Levantine trade. It was very early seen that very strict measures to prevent the importation of disease made trade impossible. Such considerations drove Governments to consider how their countries might be rendered reasonably safe from invasion by disease without too great interference with commerce. Some of you have probably little idea as to how strict quarantine measures were. At the beginning of the last century an infected ship was sunk in the Thames: it had come from Morocco which was then plague infected. At one time it was not very uncommon to burn infected ships. Obviously we cannot do such things nowadays.

Until the beginning of the nineteenth century plague was the disease that caused most anxiety, but about that time Europe was alarmed by the appearance of yellow fever in Spain. Thereafter cholera took the place of plague in the preoccupations of men responsible for the public health. Cholera appeared in Europe, and in the middle of last century there began a series of international sanitary conferences, and for a space of fifty years or more the subject of those conferences was invariably cholera. I shall not enumerate all those conferences, but some of them were interesting and important. The earliest was held in Paris in 1852 to consider cholera, and what countries could do to let trade in and keep cholera out.

It was followed in 1866 by a most interesting international conference in Constantinople. Quite recently I have read the report of the British delegates to that conference and I doubt whether that report, as an epidemiological report on cholera, could be very much bettered to-day. There were two other international conferences on cholera in Vienna in 1874 and in Rome in 1885. They came to a certain amount of agreement, but none of these conferences resulted in a Convention. Later, however, in 1892, when cholera threatened seriously once again, there was an international conference held in Vienna, at which a Convention was elaborated which was concerned chiefly with the prevention of the importation of cholera into Europe by the Suez Canal.

In 1893, a conference was held at Dresden, which considered the spread of cholera in European countries, and in the following year, 1894, another conference met in Paris, when special attention was given to the pilgrimage to Mecca and the attendant dangers of a diffusion of cholera. In 1896 the spread of plague from China to India, and the mortality it caused, made people realize that from the point of view of Europe and the West as a whole, there were other diseases than cholera to be considered as an international danger. In 1897 an international conference considered the plague situation in the East. The last four conferences to which I have referred all elaborated international sanitary conventions.

Thereafter, in conferences and conventions we see plague linked up with cholera. Their subsequent history I can hardly go into. I have already devoted more time than I intended to these introductory remarks. My desire is to make you realize how eagerly the nations of the world were trying to find a solution for a very real difficulty, and how they were driven together by the fear of disease combined

with an anxiety to see commerce carried on as freely as was practicable in such circumstances.

A series of conferences followed, mostly in Paris. In 1903 an International Sanitary Convention was drawn up dealing with plague and cholera. That Convention is important, as it is the basis of the present International Sanitary Convention, which was revised last year.

Reference should also be made to another conference, that of Rome, which resulted in the Convention of Rome of 8 December 1908. It is an important conference in the history of international public health; it was instrumental in setting up a permanent international health organization, which still exists, the *Office international d'Hygiène publique* of Paris. Further reference to the *Office* will be made later on.

I have said enough, I think, to show you that one of the chief *raisons d'être* of the International Health Organization of the League is the universality of disease, and I shall later on tell you something of what we are doing to assist the nations of the world in their efforts to control its spread.

I wish now to direct your attention to another aspect of public health activity in which an international organization such as ours can render valuable assistance. If to-day one were to travel round the world making a study of public health organizations in the various countries, and if one were to arrange those countries in the order of the efficiency of their public health organization, the results would be interesting. At the top of the list would be countries—a very few countries unfortunately—who have almost unlimited funds to spend on public health. At the bottom of the list would be countries where public health activity hardly exists, except for some more or less desultory measures taken against this or that cause of morbidity or death which is the most im-

portant at the moment. In between these two extremes there are many countries all faced with the same problem of trying to work out their public health salvation with insufficient means. Public health is a commodity that can be purchased, and health administrations in framing budgets are nearly all faced with the difficult problem of obtaining as much as possible for the money placed at their disposal. Opinion as to how this can best be done varies greatly. For reasons such as these a knowledge of what has been done in other countries in similar circumstances is of great importance to all framers of public health budgets. The contrasts to-day are surprising. One country may be devoting a large part of its available funds to such matters as infant welfare and tuberculosis, for example. Another country, in almost comparable circumstances, is devoting much attention to health insurance, we will say, and is ignoring other health activities which neighbouring countries regard as vital. Sometimes one sees work being carried out in the dark, as it were, a darkness engendered of ignorance of what has been done in an exactly comparable field of activity elsewhere. Now, if we could only pool the public health experience of the whole world, the number of units of public health purchasable for the comparatively small sums available for this purpose in the various countries might be infinitely greater. We should make public health cheaper.

What I have said should be sufficient to show that the international aspects of public health are many and important.

Article 23 of the Covenant of the League of Nations makes it incumbent on all States, Members of the League, to 'take steps in matters of international concern for the prevention and control of disease'. Our Health Organization was formed to enable States to honour this obligation. For many public

health workers it was a source of satisfaction to see that public health had not been entirely overlooked in the Covenant of the League. I do not know who was mainly responsible for this reference to public health, but I think it is probable that the experience of the war is sufficient explanation. That war, which we are all trying to forget, was a triumphant vindication of modern public health methods up to a point. Never before in the history of the world had such enormous masses of people been gathered together in such indescribably awful conditions, and yet nothing much happened in the way of epidemic disease. No public health man who had fought epidemics on a large scale would have dared to predict all the brilliant triumphs that were achieved: but there were failures as well as successes, the most devastating of which was the influenza epidemic at the end of the war in 1918. That was an experience fresh in the minds of men when the Covenant was drafted: no wonder then that an Article should be included in the Pact recommending countries to take measures for the control of epidemic disease. So we owe something, a very little in comparison with the awful debit side of the account, to that epidemic of influenza.

Another digression, if you will forgive me. Before the League of Nations had time to study the best organization for a health section, how best to call it into being, it found itself face to face with a difficult health problem. At the first Council meeting, held in Paris, the attention of the Council was directed to the most acute epidemic of typhus fever of modern times, which was spreading out of Russia and threatening the existence almost of certain of those new states abutting on Russia, whose organization was hardly complete, and who were trying to deal with an epidemic situation that would have tried the most up-to-date health organizations

in the world. The League was asked to help. An international conference had been called in London at the instance of the Council to advise how best the States Members of the League could honour that article of the Covenant to which I have referred: so that Conference was invited to consider also the epidemic situation in eastern Europe and how best to control it. In this way the Typhus Commission, or the Epidemic Commission, as it afterwards came to be called, of the League of Nations was formed. It was a small commission, of which I had the honour to take the direction, which did humble but, I think, very useful work. We were financed, not by the Budget of the League itself, but by voluntary contributions from various large-minded States in the world. The list of States contributing to the funds of the Epidemic Commission makes very interesting reading. Quite small States contributed quite large sums. Altogether some £300,000, 1½ million dollars, was subscribed and with that money we were able to give support to the health organizations of Poland, and of other countries bordering on Russia, in maintaining an efficient line of hospitals and quarantine stations along their frontiers. We extended our activity into Russia itself. We helped the Soviet Health Organization in obtaining certain essential things for fighting against disease which they might not otherwise, at that time, have been able to obtain. Obviously a work like that would provide subjects for a good many lectures, but I am referring to the work of the Epidemic Commission now rather for its historical interest in connexion with our work. This was the first occasion in history, as far as I know, in which the Governments of the world have come together with financial contributions to help other Governments in dealing with a great public health emergency. It has its significance quite apart from that

example of international solidarity which it afforded. It had repercussions that were useful: in short, the work accomplished by the Epidemic Commission was more than worth while.

While that Epidemic Commission was working in Poland, and extending its activities to Greece and into Russia, the health organization of the League of Nations, as it exists to-day, was brought into being. Like all the technical organizations of the League of Nations, it has three main constituent parts. In this chart you have a schematic picture of the constitution of our health organization. We have a Health Committee consisting of twenty members and one or two advisory experts who are responsible for advising the Council of the League of Nations in all matters regarding public health. The other technical organizations of the League, in addition to having an advisory committee, have something in the nature of an advisory council or general assembly. It is rather like the constitution of the League as a whole, in miniature. Now, when attention was turned to the formation of an advisory council for our Health Organization, on which all the States Members of the League could be represented, we were faced with the existence of the Permanent Committee of the Office international d'Hygiène publique in Paris, brought into being by the Convention of Rome of 8 December 1907, to which I have referred. That Committee consists of official Representatives of Government Health Administration of all States signatory of the Rome Convention. Here was in short an Advisory Council 'ready-made'. At the beginning it was a little difficult, however. As you know, there is a very important country in the world which is not a Member of the League of Nations, and whose membership of the Permanent Committee of the Office international d'Hygiène publique was very important. There

were difficulties, so we had to get on as best we could without the *Office* for a time, and we had to run the risk of a certain amount of overlapping. An understanding has now been arrived at, and we have the Permanent Committee of the Office international d'Hygiène publique, which meets twice a year in Paris, as our Advisory Council. We have thus an Advisory Council, and a Health Committee. The Health Committee consists of twenty members. Ten of them are elected by the Office international d'Hygiène publique, including the President of the Office, who is *ex officio* a Vice-President of our Health Committee. That arrangement secures sufficient liaison between the two organizations. Six additional members are nominated by the Council of the League of Nations. The remaining four members, who are called Assessors, but who enjoy all the rights of full membership, are appointed by the Council after consultation with those sixteen members who have been elected in the manner described. This Health Committee directs the technical part of our work and elaborates the programme of work of the Health Section of this Secretariat. Of course, like all Sections of the Secretariat, the Health Section, to which I am coming in a moment, is under the direct orders of the Secretary-General of the League. We are an integral part of the Secretariat, but our programme of work is discussed, and from a technical point of view largely directed, by the Health Committee.

Now, the Health Committee, when it studies any problem of international importance—and we never embark on the study of a problem unless it is important from the international point of view—can nominate expert commissions. At the present time we have several expert commissions advising the Health Committee. There is a permanent com-

mission for the biological standardization of drugs and sera. As you know, in the treatment of disease nowadays sera are of great importance—sera such as anti-diphtheria serum and anti-tetanus serum, to mention the two best known. The sera produced in various different countries of the world were often of different strengths. They were labelled as having so many units of potency, but the units had a different meaning in different countries, so we tried to secure uniformity. That work has been a great success. International units are being established for all the more important sera that are used in medicine in terms of which strength and dosage are described.

Then we have a Malaria Commission. A few years after the war, malaria appeared in the southern countries of Europe and in Russia in epidemic form, and many countries who were organizing Health Departments asked us for advice as to how best to combat malaria. Before giving them advice, we decided to carry out a survey. To this end an International Malaria Commission was created and has made a study of malaria conditions, and the measures taken to combat that disease in all infected countries of Europe and in Palestine and Syria. Two members of the Commission have recently visited the United States to become acquainted with anti-malaria measures as carried out with marked success in the Southern States, and I think our Malaria Commission will be visiting India during the coming year. Their reports will be interesting to all of you who are interested in malaria and its prevention.

Another special commission which you will find referred to on this chart is an expert commission on sleeping sickness which has been working in Equatorial Africa. We have had a commission of six experts—a Frenchman, a German, an

Italian, a Portuguese, a Belgian, with a British President, working in Central Africa with their head-quarters in Entebbe in Uganda on Lake Victoria Nyanza. They have just completed eighteen months' work. Their work has been financed by contributions from our budget and from the Governments of those countries who are most intimately concerned in fighting a very serious cause of sickness and death. The commission held its final meeting and finished up its work last June. Its report will contain general recommendations for the countries concerned as to how best to deal with the very big problems attaching to sleeping sickness in Central Africa.

I can but very briefly refer to the other commissions shown on this chart. We have a commission studying health insurance. That is a work of interest, in many of its aspects, to the International Labour Office, about whose organization you have heard, as well as to ourselves, and we are working in conjunction with the International Labour Office in an inquiry into health insurance and its relationship to public health activity in many countries. We have an International Expert Commission on Infant Welfare. That commission is studying the causes underlying the varying rates of infant mortality in various parts of the world. We are trying to obtain definite information as to why babies die in such numbers as they do. That is a subject of great interest not only to European countries, where the commission is at present carrying out the inquiry, but to many other parts of the world. The investigation will shortly be extended to Latin America.

Then there is a Cancer Commission, which has been dealing with certain limited aspects of the cancer problem. Its main terms of reference were to try and find an explanation for the very varying degrees of cancer mortality in certain

European countries. The commission has collected and published much information which will be very valuable to research workers.

Then there is a Statistical Expert Commission, which is studying the international list of causes of death. There are various other important questions that have been studied, such as public health training, tuberculosis, smallpox, anthrax, and certain medical aspects of the opium question. Time will not permit of detailed reference to these matters, interesting and important as some of them are.

Such is the Health Committee and its various expert commissions.

We have here in the Secretariat a Health Section. There are some thirteen technical members in that section working under the direction of the Medical Director, Dr. Rajchman, who I much regret is not able to be in my place to-day, talking to you. The Health Section of the League owes more to Dr. Rajchman than to any other individual. The thirteen members of the section are of almost as many nationalities.

I have as yet hardly touched upon one of the most important of our activities, but from my early introductory remarks you will have appreciated the importance of keeping all countries informed of the march and progress of epidemics. It was even more obviously important when we started our work than it is at the present time. I told you how the health work of the League started by rendering assistance to countries in eastern Europe in their attempts to control the epidemics of typhus fever and other diseases. In this work we were handicapped by the difficulty of obtaining exact information as to the progress of the disease and the number of cases and deaths; so quite early we began to collect epidemiological information concerning all the chief epidemic diseases

in all countries in the world where such data were available. In this work nearly all countries collaborate. The information is published in the form of monthly reports which are, to students of epidemiology, of growing interest. In this map the shaded areas indicate the parts of the world from which we publish such medical information. For the most part reports are sent by post, covering weekly periods if possible. Some countries still send ten-day reports, some monthly reports; but the reporting is more uniform and more prompt. But such information is not sufficient for a country faced with a threat of epidemics. In 1923 I was charged by the Health Committee with a mission to a part of the world where the most dangerous epidemic diseases, from an international point of view—plague, malaria, smallpox—are more prevalent than elsewhere. I visited all the countries of the Far East, studying the movements of epidemics generally, and port health-administration, or quarantine measures, as they are commonly called. I made a nine months' tour, and one of the outstanding impressions was that everywhere there was a valuable amount of information to be had for the asking but which was not available elsewhere. Proposals were made for the establishment of an Epidemiological Intelligence Bureau at Singapore. Singapore was chosen for geographical reasons alone. If you look at a map of the East you will see the central position which Singapore occupies; it is the gateway to the Far East. The proposal was that to this bureau at Singapore every health administration in the area concerned—a big part of the world—should telegraph each week the number of cases and deaths from the chief epidemic diseases that have occurred in its chief ports during the previous week. Even if they have nothing to report, a telegram is sent saying that all is well. The Singapore bureau was duly established early

in 1925 and has met with a quite astonishing success. Owing to the generosity of the International Health Department of the Rockefeller Foundation—to which I hope to devote a few moments at the end of my address, it having helped us more than I can say—we were able to establish that bureau with very little delay. The bureau receives each week information concerning nearly 150 ports in this area. This information is all received by Tuesday or Wednesday in Singapore, and relates to the previous week ending Saturday at midnight. The news is cabled here. Each Thursday we know the numbers of cases of plague and cholera and smallpox that have occurred in all those ports indicated on the map during the previous week. The information is broadcasted by wireless throughout the East. Complete information is broadcasted in a special code which has been compiled for the purpose, and summaries in clear for the use of ships at sea are broadcasted by other wireless stations. Should immediate danger threaten, individual telegrams are sent either from here or from Singapore. I think I can justly claim for the Health Section a very considerable degree of success in this system of collecting and distributing epidemiological intelligence, which is a very decided advance on anything of the kind done before.

I have spoken far too long, but I want to say a word about another, totally different branch of our activities, and one of the most important. I explained at some length the importance of placing the public health experience of all countries at the disposal of all, and I emphasized how much more public health could be bought in the world for the money at present being devoted to the purchase if we could pool our knowledge and experience. In order to do this, a system of 'interchanges' of public health personnel was started. These

are international health study tours. At the present moment two such study tours are being organized, and I shall say a word or two about them to give you an idea of what takes place. Before the end of next month the first interchange or study tour in Germany will commence. It is going to be a big one, bigger than usual—thirty medical officers taking part—and in most cases they are the chief medical officers of their respective countries. They will be gathered together in Berlin towards the end of next month. There, during four or five days, they will study the central health administration of Germany and then they will start on a journey that will last about five or six weeks. They will go to various towns. In each town some special public health activity will be studied, anti-tuberculosis work in one place, child welfare work in another, and so on. At periodic conferences they will criticize what they have seen and compare notes: they will be able to form an idea of how far what they have seen is applicable to conditions in their own countries, and how what they have seen might be improved in the light of their own experience. The results of such tours are of benefit to all the participants and to their administrations, obviously, and also to the country visited: it is useful to have one's own work criticized by experts who have worked in a totally different field. I have a chart here which indicates all the countries in which interchanges have been organized, and the number of participants that each country has sent. Hitherto we have had most of our interchanges in Europe, but we have had one in Japan, two in America, and we are organizing one to begin in January 1928 in British India. The medical officers for this tour will be taken chiefly from Asiatic countries. Certain very far-distant countries cannot benefit as largely as others from these interchanges, so for these individual

travelling fellowships have been arranged from time to time. Supposing child welfare, for instance, to be of great importance to some distant country which wanted to inaugurate a new scheme: in such a case a medical officer who is going to be in charge of the work would be given an opportunity to visit, under the recommendations and auspices and at the expense of the Health Organization, those parts of the world in which such activities may be seen to the best advantage.

Then, lastly, we try to help public health administrations by means of publication. A series of handbooks describing the public health administrations of a large number of countries of the world has been published. A large number of statistical handbooks describing the collection and tabulation of demographic statistics in different countries has also appeared. Endeavours have been and are being made to secure international uniformity in the collection and presentation of statistics of deaths, the causes of deaths and other vital occurrences.

Incomplete though it be I trust this condensed summary has given you some idea of what the Health Organization of the League of Nations is trying to do for the health of the world.

SECTION III

SOME ASPECTS OF CURRENT POLITICAL DEVELOPMENTS

CHAPTER XII

GERMANY IN THE LEAGUE

A Survey and a Forecast

Dr. Arnold Wolfers:

SOME of you are disappointed to hear that I am a Swiss; you would have preferred to hear a German explain the situation of his own country. Having watched Germany's after-war development very closely for many years and having had that nearer knowledge of Germany which we have in the German-speaking part of Switzerland it may be easier for me than for a German to explain the peculiar situation of that country to a foreign audience. A few years ago it was easy to awaken sympathy for Germany, at a time when the German Republic seemed to be breaking down, the people suffering by inflation, civil war and foreign oppression. Now that Germany is slowly recovering and, at least economically, is coming to be on its own feet, interest has somewhat weakened. I can understand that some people, especially among those living in the neighbourhood of Germany, who for a time had pity, are now inclined to come back to something like fear or even to war feelings. Germany being more prosperous and powerful again they are asking whether it will not become dangerous to them as time goes on. The great problem with which we are confronted to-day there-

fore is whether Germany, coming back to a state of economic health and inner unity, deserves to be treated as a dangerous threat to European peace or whether it can be counted upon as a factor of friendly international co-operation.

Looking back at Germany's foreign policy since the armistice we first find in 1919 a deep conflict. Will Germany line up with the so-called Western Powers, the victorious nations or, having lost the war, will it be attracted towards the East, towards Russia? The Social Democrats, then in power, by reason of their socialist sentiments might have been expected to incline towards the Socialist Soviet Government. But against the opposing Bolshevik wing they decided to come to terms with the Allies and the United States. The Wilsonian programme looked like a golden bridge over which the vanquished nations could step, confident of regaining friendly relations with the enemies of the war. The Treaty of Versailles brought a very heavy disappointment to them. The democratic parties especially, which had built up the Republic and had fought down Bolshevism to the benefit of all Europe, had believed that a peace treaty on the lines of President Wilson's 14 points would allow Germany to enter the family of nations on terms of equality. The Treaty that Germany was forced to sign looked as if it would destroy the very existence of Germany. The pessimists, in which of course the whole nationalist group must be counted, sincerely believed that their country would never recover from the blow. They have up to to-day expected economic destruction, political dismemberment and a breaking up of German unity as a consequence of the Treaty.

The first years after the conclusion of the Peace Treaty seemed to give reason for this pessimistic outlook. From 1919

to 1923 I witnessed a gradual disintegration of Germany. All the efforts of the Republican parties to consolidate the new democratic State seemed to be hopeless. Inflation was but one symptom. The Ruhr invasion was the summit of this evolution to the bad. Revolution, civil war, separation, financed by foreign Governments, were breaking up German unity. At that time many of my English friends were becoming anxious about what we called the 'Balkanization of Europe', meaning a situation like that in the Balkans being established all the way up to the Rhine. After 1923 a slow but continuous change for the better came about, partly due to courageous and efficient efforts on the part of the German nation, partly thanks to foreign help. The Ruhr invasion was stopped. Germany's currency was stabilized. The Dawes plan allowed for a recovery of the German financial system. A flow of foreign credits, showing that confidence had again been established, helped to reconstruct the economic life of the country.

It had been the chief problem of German foreign policy from 1919 to 1924 to decide whether it was wise or not to try to fulfil the obligations set up in the Treaty of Versailles. The parties of the Left stood for this so-called policy of fulfilment. The parties of the Right called it high treason to fulfil a Treaty which would slowly take the force and life out of the country and which after all could never be carried through to the satisfaction of the Allies. Their idea was to resist and to do so before the force to resist was definitely broken. Fortunately the parties of the Left had their way. The pessimistic view did not take hold of the parties then in power. Nothing could have been more disastrous than an effort to break away from the Versailles Treaty by bringing about some European catastrophe. French and Polish troops could

easily have occupied Germany. We cannot tell what the end would have been. The policy of fulfilment bore fruit. Although Germany lost her colonies, her army and navy, part of her territory, and although she is paying reparations, the situation, compared with what it was three years ago, has highly improved. There are certainly many who still believe that the crisis and breakdown has only been artificially postponed and is yet to come. There are others who do not rejoice in a materialistic recovery based on a loss of national power, prestige or honour. To the men to whom the old régime and its traditions are dear, even the consolidation and international credit of the Republic seem but a bitter and regretful effect of foreign intervention and foreign domination. I agree, however, with what I believe to be the great majority of the German people, who are happy to state that the situation to-day is far better than anybody could have hoped it to be a few years ago. That there are great difficulties just ahead and many problems unsolved, that there still is much misery in the country, much bitterness and much well-founded dissatisfaction with the current of international affairs nobody will deny.

After having accepted the 'fulfilment policy' the German Government sought to bring back Germany to a state of equality with the other nations. It seemed utopian to hope for a country that was disarmed and was under financial control to re-become one of the big nations taking an active part in the responsibility of world policies. Yet this stage has been reached at least to a certain extent. Germany is a Member of the Council of the League of Nations.

Before I go into the significance of this change let me say something about the political structure of Germany. It is no use simply to speak of the intentions of Germany—unless

we are only interested in the views of the present Government. If for any length of time we wish to know what can be expected from Germany it is necessary to become acquainted with the tendencies of the different political groups. With all the 14 or 20 parties existing it is sufficient to keep in mind three large groups or chief currents of political thought. The one group is formed by Labour, organized in the Socialist and Communist parties. The Communists of course are deeply opposed to the policy of the present Government. They want an alliance with Russia and world revolution, the same in Germany as all over the world. The Social Democratic Party, the largest party in the Reichstag ever since the war, is very much of the same temper as the British Labour Party. That means that the German Socialists are very sympathetic to the League of Nations. They have stood for the fulfilment policy all the way through. They had great illusions as to the effects of a League on international relations. With all the disappointments they have incurred they still continue on the same line.

The second group, on the right wing, consisting of the Nationalist parties, is nearly as large. The small extremist group on the right in times of civil strife may become of some importance again, such as the Communists may. At the present time they are of little importance. These extremists hope for a crisis or catastrophe in which Germany may break away from the Versailles Treaty. Some of them may dream of a war of revenge. The German Nationalist Party, the second largest party in the Reichstag, is not to be identified with these 'Fascist' parties. To-day it forms a part of the Government. It recruits itself from the groups which before the war were the leading ones, the aristocracy, the very large bureaucracy, including most of the intellectuals,

the professors, the ministers of the protestant churches, a large part of the agrarian population, farmers as well as big landowners and parts of the lower middle classes. This party once was against the fulfilment policy. It was monarchist. It believed or pretended that Germany lost the war because of the socialist revolution. The principal question to-day therefore is whether this party has seriously and definitely changed its mind. You all know that this party has accepted the lead of Stresemann, has accepted the entry into the League and has accepted the Locarno Treaty. Is this only an expedient for the moment, a form of insincere 'Realpolitik'? I don't think so. I have come to believe that the responsible leaders of the party have even changed their mind far more than they are able to confess to the large masses of their followers, to whom for so many years they promised heroic steps and a return to the good old times. They were going to oppose the Republic and restore the Monarchy; to-day Hindenburg, their beloved leader, is president of the Republic and has worked for the consolidation of the democratic constitution. The same evolution is taking place in foreign policy; it takes time until the voters are prepared to accept the new programme. The Socialists have had to go through a similar evolution; although they have done most to build up the Republic and thereby to re-establish the present economic order, they still often speak of the coming revolution and proletarian dictatorship when speaking to the masses.

A similar slow change of mind I can witness among the agrarian and middle class groups, who follow the lead of the Nationalist Party. They must be given time to get accustomed to a new order in which there is no more room for the imperialistic dreams of the Wilhelminian Era. Much depends on

the attitude of the other nations. The development is disturbed every time Germany is treated with contempt or disregard; nationalist appeal to the sense of honour at once calls forth old resentment and passions.

Then there is a third group, the middle group. To this belongs the Catholic Centre Party, the middle of the middle group. It has been in power since the beginning of the Republic because no group of parties to the Left or the Right can form a majority without including the Centre Party. To the right of the Centre Party is the German People's Party, to the left the more liberal Democratic Party. The fact that neither Socialists nor Nationalists can govern without entering into a coalition with the Centre Party brings about a steadiness in German foreign policies which but few countries have at present. Other nations have reason to be content with the fact that Stresemann has been able to stay in office both with the Left and the Right. The reason why the Centre Party in the Reich has at present lined up with the Nationalists rather than with the Socialists has nothing to do with foreign policy. Their decision was purely due to questions of school legislation. When the Nationalists came into government they accepted the programme of foreign policy laid down by the Centre Party, a policy of friendly co-operation inside the League.

The great event which changed the whole aspect of German foreign policy was the entry into the League. Some people may think that the League of late has not proved very efficient. For Germany in any case the League has become a factor of immense importance. The entry into the Council was to all Germans a visible symptom of German political recovery. The working together of the great Powers in secret conferences at Geneva, regretful as this may be in many

respects, was a satisfaction to Germany because of Stresemann's attendance at these meetings. The world once again showed confidence in Germany. This, for instance, was the case at the time when the Anglo-Russian conflict was discussed at Geneva. It was again true during the settlement of the Albanian conflict.

Germany on the whole has taken a growing interest in the work and development of the League. You will remember that Professor Schücking edited the first big commentary on the Covenant of the League. A second valuable commentary has been written by a German nationalist, Professor von Freytag-Loringhoven. The Economic Conference which took place in Geneva has found an unexpectedly great echo in Germany. Some hard-boiled protectionists turned free-traders. I wish this were not only a German experience. Some of the men who attended the Geneva Conference were surprised to see what an influence it had on some German representatives when once again they found themselves on a footing of perfect equality in a conference of international representatives. The same wholesome influence has been witnessed inside the German Association for the League, in which now the German Nationalists are taking part too. Germany is recovering from the isolation in which it so long was held and is getting acquainted with the new machinery of international relations.

Of course there are many problems which have not been solved by the League. There is especially the problem of disarmament and the occupation of the Rhineland. The disappointing development of Franco-German relations of late, which is spoken of as 'the crisis of the Thoiry policy', makes it necessary for us to look somewhat more into details. After all, the so-called 'atmosphere of Geneva' cannot keep

on long, if events drive the other way. If nothing tangible comes out of it the talk of 'atmosphere' works rather to the negative. Franco-German relations, even during the war, could not have been worse than they were during the Ruhr invasion in 1923. The German people only then began to hate the French.

Astonishing as it may be, after a short time a deep change of spirit began to show itself. At the time when Stresemann and Briand met at Locarno and Thoiry there was a large wave of public sentiment in Germany, taking hold even of the minds of nationalist groups, that made for sympathy with France. There was a feeling of solidarity of interest between the two big continental people. One began to wonder whether Franco-German enmity for centuries back had not been a tragic mistake. Friendship on the Rhine might become the basis of European peace, more durable than that balance of power which British policy had sought to build up on Franco-German antagonism. In France, I believe, there was the same tendency. Perhaps the statesmen tried to go too fast. The difficulties of solving the concrete problems were too great to be overcome suddenly. Germany gave up its will ever to reconquer Alsace-Lorraine. In the minds of the Germans this was a great sacrifice. Germany was under no obligation to do so. To France, however, this did not seem sufficient, not sufficient even to be answered by a recall of the troops that occupy the Rhineland. The French were not able to gain confidence, they feared for themselves and for their smaller Eastern allies. They wished to go slowly, in doing so they cooled down German pro-French sentiment, thus destroying the basis on which confidence and co-operation was to be built. In these circumstances it has been fortunate that the League exists. Briand and Stresemann are thus

given regular occasions to meet in Geneva and discuss matters without having to go into any diplomatic correspondence beforehand, nobody having to take the first step for bringing the two together.

The time has come, however, when the mere smoothing down of irritations must give place to real and satisfactory solutions, otherwise the small disturbing events which occur from time to time are used by the nationalists on both sides to stir up new hatred and distrust. It even seems as if others who are not nationalists are working to disturb the policy of reconciliation. I am thinking of one man especially, namely the German pacifist, Professor Foerster, who lives in Geneva and from here bombards his own country with accusations of secret German armaments, frightening the people in France and Belgium and giving to their Governments welcome arguments for an oppressive policy against Germany. Professor Foerster's psychology seems to be typical of the kind of German professors of the old régime against which he believes he is fighting. First he is so in love with his own doctrine of Anti-Prussianism that he does not see realities. He has not been in Germany for many years. When he hears of some German general, some general out of service, having a new plan for German armaments he thinks in terms of the days when generals in Germany had the greatest influence. It seems to me that the Minister of the German army is only doing his duty if he listens to a man who tells him that he has found a way by which Germany can become militarily strong without breaking the Versailles Treaty. This does not signify that Mr. Gessler intends to accept the plan. I have had occasion to look into the German nationalist organization, the 'steel helmet' which to Professor Foerster seems dangerous even to the security of Germany's neighbours. The truth

is that these organizations of the old soldiers of the war are experiencing a great crisis; they do not know how to save their own existence. Their members have grown older, war souvenirs are weaker, the heroic days of 1919 and 1920 have long gone by. Men who have found a living and have settled down to work no longer enjoy military training in the evenings with the risk of being punished. They once thought the war of liberation was soon to come. They are disillusioned to-day. Organizations such as this may still signify something in case of civil war. In international affairs they have played their rôle.

Professor Foerster in another respect is like his opponents. He believes in violence. He believes in the methods of militarism, although he is a pacifist. He thinks therefore that the world must get rid of the old German nationalists by crushing them once more and more completely. A new war to make the world definitely safe for democracy this time! But what about Germany's military plans and armaments then? There certainly are people in Germany, and I cannot blame them, who believe that a country which is unable to make its power and influence felt will not get justice in the present state of international affairs. Even some of the decisions of the League seemed to show that a country counts more that is able to enforce its will. This accounts for the fact that many Germans who have not the patience and faith to believe in a change in international methods deeply deplore the present state of disarmament. Apart, however, from these, there are others who are disturbed by the fact that Germany as it is to-day is unable even to defend itself and is threatened therefore with becoming Europe's future battlefield. It is uncomfortable to know that the Polish frontier lies two and a half hours by train from Berlin and that an enormous Polish

army is ready at any time to occupy your capital. If even the French are allowed to think in terms of security and if the most powerful nations are speaking of preparedness, the Germans certainly have reason to demand that the present situation be changed. German military experts who are responsible for Germany's security would not be doing their duty if they were not trying to strengthen Germany's capacity of self-defence. This, however, has nothing to do with an attitude of aggressive militarism. There again I have been surprised to see the change going on in the minds of German nationalists. They have slowly begun to realize that they have got to give up pre-war terms of thinking. They have realized how weak Germany's military situation is and how greatly their own influence has fallen inside Germany. I have found no serious political leader in Germany who believes that Germany under the Versailles Treaty can again become a military power of any importance. However good the training and discipline of the Reichswehr may be, there are not the guns, the tanks, the air forces. If Professor Foerster wishes to destroy German militarism he must do the contrary of what he is doing. He must help to destroy French and Belgian fear; he must thereby pave the way for general disarmament. He must find ways and means for Franco-German co-operation, giving back a feeling of security to both. Such a policy will strengthen peaceful sentiment in Germany. It will help change the spirit of the Nationalists and weaken the influence of such hard-boiled militarists who cannot learn anew.

Some people are talking of new German imperialism. They mean to say that the industrial recovery in Germany will lead the industrial groups to develop a spirit of expansion and aggression. They point to the fact that Germany wants to

get a Colonial Mandate, that it is asking for the right to unite with Austria and that it holds special relations with Russia. The German parties of the Left in their majority do not want colonies; for the Parties of the Right this is purely a question of prestige and equality. Unity with Austria is being demanded by Socialists and Catholics, both wholly anti-imperialistic, both interested in the increase of their party power by adding Socialist and Catholic voters from Austria. Unity with Austria would mean a weakening of Prussia and would most likely weaken the force of action of Germany. Prussian Conservatives for this reason also are opposing this plan. As to Russia, Germany's present stand is, I believe, that of a sincere mediator between the West and the East. Germany must do its best to avoid a war between the Western Powers and Russia, threatened as it is with becoming the battleground of Europe. German industrial development certainly makes for a growing interest in world markets. Expansive tendencies are inherent to our economic system. This is not a German phenomenon. German industrial recovery strengthens the solidarity with the Western Powers. It has already proved to be one of the strongest forces that binds Germany to the other big nations and makes for more intimate relations. The problem therefore no longer is how to keep Germany down or how to suffocate some rising German imperialism; the problem is how to bring a group of expansive, highly-developed big nations, including Germany, to work together in peaceful co-operation. It is a problem which is clearly put to the League. There is, I believe, as much goodwill in Germany as there is anywhere else to help destroy the threat of a new war.

CHAPTER XIII

AMERICA AND THE POST-WAR WORLD

Professor S. McCune Lindsay:

PROFESSOR LASKI told the Institute last year that he regarded the triumph in international affairs of the international idea as more important than the future of England, America, or indeed the world. I think I can subscribe to that conclusion, though not for the reasons he gave.

Before proceeding to deal with my subject, it may be as well to give you an idea of the standpoint from which I approach it. I am a lifelong independent Republican and was one of the signers of the statement in support of Senator Harding for President of the United States in the campaign of 1920 by the advocates of international co-operation to promote peace. That statement, which was originally drawn up in October 1920, attracted a good deal of attention at the time, and was signed by many leaders of public opinion in our country, including some Democrats and Independents, as well as stalwart Republicans. Since the presidential campaign of 1920 I have supported every organized effort to promote the triumph of the international idea in the world and to promote a better appreciation of America's duties, responsibilities, and interests in international relations.

I would like to interpret for you some of the outstanding events in American foreign policy since the war, certain events and development in American policy *vis-à-vis* the League of Nations, the outlawry of war movement and the proposal for a revision of ideas of neutrality. With most of

what Dr. Chester H. Rowell said on this subject in addressing the Geneva Institute last year I am in complete agreement, but I should like to supplement it in the first place by speaking of the relations of public opinion with foreign policy. I should like to pick out some of the outstanding events in recent American foreign policy and comment on them from the point of view of the forces which have brought them about, which are chiefly economic, partly social, and to a lesser extent political.

It is necessary to take into account the continuing factor in foreign policy. Foreign policy changes slowly. That is true in any country, but is more true in America than in countries with a parliamentary system of government where the Government may be turned out of office overnight and radical changes introduced in response to a strong public demand. We have nothing to correspond to that in our system. Foreign policy is vested in the President, and although the advice of the Senate is necessary the Senate has no constitutional right to initiate foreign policy, though it sometimes claims it. The initiation of foreign policy at any rate in the strict legal sense is a function of the President alone.

There are not any such direct means of co-ordinating foreign policy with public opinion as we have in the case of domestic policy. Our domestic policy involves such large areas and such different climatic and social conditions that it presents many of the difficulties that ordinarily attach to foreign policy in the case of most countries. But our domestic policy is subject to electoral control at comparatively frequent intervals; it is largely initiated and controlled by the House of Representatives, whose members are elected for a short term only. The State legislatures are often elected

annually, so that public opinion can influence the formation of domestic policy very quickly and directly.

That is not so in the case of foreign policy, which is, as I have said, initiated by the President. It can of course be said that the President is the only officer elected by the entire electorate of the country, and that it is therefore appropriate that foreign policy should be initiated by him. Most of our foreign policies have been of slow development and have been modified very slowly by changing facts and conditions. That throws a good deal of light on some of the things that may have astonished you most in connexion with the relationship of the United States and the post-war world. The reason why our foreign policy does not seem to have responded to changed conditions in the same way as that of other countries is the method by which it is formulated and developed in the United States.

The relationship of the United States with Latin America is a most important aspect of its foreign relations. The Monroe Doctrine existed for some time before it found definite expression in the message which President Monroe sent to Congress. Shortly before that there was the Canning Doctrine. When George Canning was Foreign Secretary for Great Britain in 1823 he formulated a doctrine which many British statesmen had held before him, which was that Great Britain would not permit France or Spain to reconquer the American colonies which had revolted from Spain.

It is interesting to note the coincidence in underlying purpose and aim in the Canning statement and that of President Monroe to the United States Congress on 2 December 1823.

The exact language of President Monroe's Message is, I am sure, too well known to this audience to need to be quoted,

but it is worth repeated examination in view of the many different interpretations that are continually being suggested. Professor Parker Thomas Moon in the excellent chapter on 'The Policy of the United States toward Latin America', in a recent book entitled *Imperialism and World Politics*, which I strongly advise you to read for its very able, fair, and candid examination not only of the Monroe Doctrine but of every other important aspect of American foreign policy, tells us that French colonial rivalry and interference with British trade was of course the thing feared and aimed at by the Canning Doctrine. He also says that while the Monroe Doctrine was perhaps influenced by similar motives on the part of American statesmen, it had for its motive at the time self-defence, and that it was in substance and form both a pledge and a warning—a pledge not to interfere with existing European colonies, and a warning that any attempt to gain new colonies in America or to reconquer the independent Latin American States would be regarded as a menace to the United States. If the warning has taken on some new meanings in the course of a century of rapidly changing economic development and now applies to the collection of debts and the protection of life and property of European nationals in Latin American countries by methods that might lead to foreign control of territory, so also has the pledge necessarily been expanded to include, as Presidents Wilson and Coolidge have in recent years recognized, a scrupulous regard on the part of the United States for the sovereignty and independence of her less powerful neighbours.

In any event there will be no complete understanding of the Monroe Doctrine which to-day more than ever appears to me to be the key to an understanding of the development of our foreign policy, without due weight being given to both

the warning and the pledge it contains. Even so friendly a critic as the London *Economist* in its comment (issue of 30 April 1927) on President Coolidge's New York address of 25 April to the United Press Association would not have made the mistake of supposing that the President was stating a new Coolidge Doctrine to supplant or modify the Monroe Doctrine had they kept clearly in mind the dual aspect of pledge and warning and the need which the President clearly perceived of interpreting the pledge in the light of recent events that have given Washington much trouble in Mexico and Central America. For the historical background again I commend chapter 16 of Professor Moon's *Imperialism in World Politics*, and especially for Mexico an interesting report: The Mexican-American Oil and Land Controversy, Information Service, vol. vi, No. 21, Dept. of Research and Education, Federal Council of Churches, N.Y. May 21, 1927 Moon quotes the authorities—statesmen and publicists—on the practical workings and adaptations of the Monroe Doctrine, and our dealings with a number of countries near our own shores since the opening of the Panama Canal. Alongside of that, of course, there is the great economic interest which American capital has in the countries to the south of us. That fact has aroused strong feelings in the larger countries of South America, and has led to fears of a possible oppression or domination on the part of their stronger neighbours to the north. It has also aroused a great deal of hostile criticism of the United States over large areas of South America, most of which I think is exaggerated by North Americans and Europeans alike.

Now, what has been done with respect to our interests for the protection of citizens and their property in Mexico, Haiti, San Domingo, and more recently in Nicaragua? Those

are the aspects of our foreign policy which are most acute at home, and which I think are of most importance just now in their significance for the rest of the world. Let me first call attention to the statement made by President Coolidge on this particular point. In his speech in New York in April, he said:

'While it is well-established international law that we have no right to interfere in the purely domestic affairs of other nations and their dealings with their own citizens, it is equally well established that our Government has certain rights over and certain duties toward our citizens and their property, wherever they may be located. The person and property of a citizen are a part of the general domain of the nation even when abroad.'

After speaking in this same speech of recent aspects of our dispute with Mexico over retroactive features of the Mexican Constitution of 1917 or of the legislation necessary to put it into effect, President Coolidge expressed loyalty to the principle of arbitration as President Calles did three months earlier on behalf of Mexico, but as a last resort and not as likely in this complex and difficult situation to give as satisfactory results as may possibly be had through diplomacy if we persist in such efforts, however difficult they may be, long after diplomacy would ordinarily be considered as having failed, and if we are determined to forgo a resort to war. The difficulties of arbitration in the Mexican dispute were well stated by President Coolidge in a paragraph which is said to have had the approval of President Calles a day or two later, as follows:

'We have at present two commissions of arbitration with Mexico, and the principle of arbitration has always been strongly advocated by our Government. Everybody favours arbitration when the

question at issue is arbitrable. Under the present circumstances I can see grave difficulties in formulating a question which the two Governments would agree to submit to such a tribunal. The principle that property is not to be confiscated and the duty of our Government to protect it are so well established that it is doubtful if they should be permitted to be questioned. Very likely Mexico would feel that the right to make a Constitution and pass laws is a privilege of her sovereignty which she could not permit to be brought into question. It has therefore seemed that we are more likely to secure an adjustment through negotiation.'

Coming next to Nicaragua, the most recent illustration of the application and implications of the Monroe Doctrine, President Coolidge said:

'We have sold arms and ammunition, as we did in the case of Mexico, to the Nicaraguan Government. . . .

'We are there to protect our citizens and their property from being destroyed by war and to lend every encouragement we can to the restoration of peace. . . .

'Towards the Governments of countries which we have recognized this side of the Panama Canal we feel a moral responsibility that does not attach to other nations. We wish them to feel that our recognition is of real value to them and that they can count on such support as we can give lawfully when they are beset with difficulties. We have undertaken to discourage revolutions within that area and to encourage settlement of political differences by the peaceful method of elections. This policy is bound to meet with some discouragements, but it is our hope and belief that ultimately it will prevail. This territory is rich in natural resources, and under orderly governments is capable of a development that will give to its inhabitants all the advantages of modern civilization. It is a curious circumstance that some of those who have been willing to have us take mandates over far-off countries in Asia, where we have no interest that does not attach to all humanity, are most critical when we are attempting to encourage the maintenance of order, the continuity of duly

established government, and the protection of lives and property of our own citizens under a general reign of law in these countries that are near at hand and where we have large and peculiar interests. . . .

'The recent period has brought America into a new position in the world. We shall have to bear the inevitable criticisms and try to discharge the inevitable obligations which arise from this condition. Because some others have pursued that course, it may be feared that we shall embark upon a programme of military aggrandizement. Such, however, is not the spirit of the American people. If, even where our national interests and the protection of the rights of our citizens are involved, we attempt to assist in composing difficulties and supporting international law, we must expect to be charged with imperialistic motives. In our international intercourse we must hold ourselves up to high standards of justice and equity. We should be slow to take offence and quick to grant redress. The world knows that the whole genius of America always calls it to the support of the universal rights of humanity.

'The civilization of the world has been accomplished by the acceptance and general observance of definite rules of human conduct. Our duty demands that it be clearly understood at home and abroad, that we are unwavering in our faith in those principles. Those who violate them cannot hope for our approbation. Our attitude towards all nations is one of friendship and goodwill. Toward those who are yet struggling to improve the condition of their people and achieve a larger liberty, it is especially one of forbearance. We support the demands of right and justice, but we are equally solicitous to observe the requirements of mercy and compassion. In the attempt of your Government to meet these great obligations by which alone an enlightened civilized society can be maintained, a united America must constantly respond with service and sacrifice.'[1]

[1] For further quotations from President Coolidge's Speech (New York, 25 April 1927), and for many able interpretative papers on many aspects of

We cannot undertake here to discuss the possible legal significance of any attempted extension of the principle of international law to include the property of a citizen or the citizen himself, considered as in the same relation to his Government when on foreign soil as when within his national domain. I do not think that President Coolidge meant to state any such doctrine. The purpose behind all the recent applications of the Monroe Doctrine to Latin America goes to show that it is to be taken as meaning that we have a right of investment in foreign countries. Bearing that in mind, what may seem like using the methods of imperialism may be explained to a point where they will not in reality be imperialistic at all. Of course, only time will tell the true story as far as the Caribbean and Central American territory is concerned. It is true that there are many people in the United States who think that American foreign policy in this respect is going too far, but I feel sure that there is no responsible American statesman and certainly no responsible American scholar, who knows the psychology and temperament of the American people, who will say that we want a foot more territory to the south of us than we now have, or than is needed for the carrying out of that great international undertaking, the maintenance and protection of the Canal. We must have security of life and property in those areas, and what is still more important, those areas must have large amounts of foreign capital before they can raise their standard of living at all, and before they can even make their areas sanitary and therefore safe for themselves, their neighbours, and the rest of the world. If it becomes necessary for us to go a little farther on what seems to many to be the

American Foreign Policy, see *Annals*, vol. 132, July 1927 (Philadelphia) American Academy of Political and Social Science.

imperialistic road, as we have in Haiti and San Domingo, it is because of the implications of the Monroe Doctrine, which cannot be consistently maintained unless the United States is willing to act as the agent of other countries in maintaining the same conditions for their nationals that we demand for our own in the security of life and property and, of course, in the sanitation of these areas.

With regard to the outlawry of war, I have only time to refer to the great interest that has been taken recently in the suggestion made by M. Briand, that at least France and the United States might make a treaty agreeing between themselves to a sort of American Locarno. It is quite likely that that will lead to some practical steps being taken. In any case, public opinion is ripe in the United States for a widespread response to M. Briand, provided something along the lines of the Draft Treaty recently prepared by Professors Shotwell and J. P. Chamberlain of Columbia University can be brought into active public discussion, and be made capable of simultaneous application to America and other countries with whom we have arbitration treaties about to expire. I believe the Shotwell-Chamberlain proposal contains the basis for a practical first step in the direction of a real American Locarno that might do more than anything since the Armistice to bring America into closer sympathetic relations with the great enterprises of international co-operation that have their centre of inspiration and action here in Geneva.

The lines of our foreign policy are not now and never have been diametrically opposed to, or even widely divergent from, those of the Governments great and small which are playing the leading part in the League of Nations in international co-operation for enduring peace, goodwill, and economic well-being in our post-war world. Our problems are doubt-

less in many important particulars different but require for their solution the application of the same principles and the development of the same technique of international co-operation. Some day we shall discover this fundamental identity of purpose and need, and perhaps then find the resulting union of forces the stronger and mutually more helpful because we have trod the preliminary paths separately to find that they led into one common broad highway to economic security and peace.

CHAPTER XIV

WESTERN DIPLOMACY AND POST-REVOLUTIONARY RUSSIA

Mr. M. Farbman:

THE popular feeling against secret diplomacy raised by the War and the necessity of entrusting diplomatic intercourse after the War in the new and in some old European States to entirely fresh and untrained persons, free from old prejudices and traditions, led a good many people at one time to hope that an attempt would be made to place the diplomacy of the future on a more scientific basis and to free it from the vagaries of individual influences and private judgment.

What was desired was on the whole a larger measure of control of diplomacy by Parliamentary bodies and the creation of more exact methods of diplomatic relations.

But although the high hopes and aspirations that the political intercourse of nations might be freed from all kind of secret and undisclosed agreements and that all covenants among peoples should, in President Wilson's words, be 'open and openly arrived at', have not been realized, we may congratulate ourselves nevertheless on having achieved a considerable improvement in official international intercourse. In the first place Parliaments and the Press in most countries are maintaining a steady vigilance, and diplomats, although they scarcely seem to welcome it, are now disposed to treat this vigilance with such a respect that they make fairly frequent and fairly complete public statements. Moreover

diplomacy is no longer confined entirely to an exchange of notes between Ambassadors and Foreign Secretaries, but is leavened by personal contact between these Foreign Secretaries, and by frequent international conferences, from which, it is gratifying to remember, the representatives of the world Press are not always excluded.

If then there occurs no unexpected relapse to old diplomatic methods, and if world opinion continues resolutely to press for the democratization of official international intercourse, there is ground for hoping that diplomacy may eventually cease to be a fine art and may become something of a craft.

All due respect, however, having been paid to the progress made along these lines, I confess I do not see any trace of the adoption of new methods in the relations of the Western powers with post-revolutionary Russia. If there has been any change, it has been a movement backwards instead of forwards.

Now when I have said so much, you will, I am sure, sympathize with me when I admit that I am not very happy in having to make an attempt to disentangle before such an exclusive audience the double puzzle of the attitude of Russia towards the West and of the West towards Russia.

The difficulty in which I find myself involved is accentuated by my consciousness of my audience. Let me explain what I mean. Had it been my business to describe to you any ordinary European problem, however complex, my mind would be quite easy; for I should not expect to find my audience bound by any rigid preconceptions. And in any case I should not be afraid that my argument would be heard and judged otherwise than on its merits.

But in the case of the Russian problem the situation is

quite different; for during the ten years of the clamorous career of the Russian Revolution, thinking people in both hemispheres have by now definitely made up their minds about its actors, its events, and its tendencies. And any deviation from either boundless praise of 'the new gospel' or from downright condemnation of 'the devilish conspiracy against human society', is resented as compromising the issue and as cloaking some sinister design.

I am afraid that my mind is so constituted that I cannot accept a doctrinaire solution of any social or political problem. I find it difficult to subscribe to the idea of the saintliness or devilishness of any political creed. To me all human affairs appear a mixture of good and evil, and human action seems to be prompted not by ultimate aims but by a conscious or subconscious feeling of interests.

As far as the Russian Revolution may be conceived as an elemental upheaval, it is natural enough that it should raise elemental and absolute feelings of either admiration or repulsion. But what we have to deal with to-day, and what European diplomacy is confronted with, is primarily not Bolshevism and the Bolshevik Revolution but the so-called Soviet Government of Russia.

The passing of judgment on the Revolution regarded as an historical fact, the consideration of its inevitability or avoidability, the apportioning of praise or blame to its leaders are not the questions before contemporary statesmen. They cannot, of course, afford to disregard the revolutionary orgin of the present Russian Government, and will consequently safeguard themselves by taking necessary precautions. But, after all, their concern is not with the Revolution or with the Revolutionary leaders, but with the institutions and Government produced by it.

I am not suggesting, however, that the time has come for forgetting the destruction wrought by the Revolution, and its waste of human life and property; neither am I suggesting that we should forget and forgive on a wholesale scale and begin to preach the necessity of approaching Soviet Russia in the spirit of Locarno.

What I do suggest is that to limit statecraft to moral indignation is tantamount to a repudiation of statecraft altogether.

The wholesale condemnation of the Russian Revolution in all its results would mean nothing less than renouncing for all time any chance of coming to a working arrangement with a country that has to fulfil some of the most vital economic and political functions in the world.

Moreover, I deny that moral indignation has ever really influenced policy and was ever made the basis of co-operation or of the refusal of co-operation between States. Never was this proved more clearly than in the case of the post-war relations between the Western Allies and Germany.

But even in the case of Russia moral indignation has been alternately invoked and ignored. The history of Russia's relations with the West has proved more than once that moral indignation is not the inspiration of policy but rather its complement. When one line of policy is found desirable, moral indignation is easily worked up; but when this policy has to be changed, moral indignation is 'turned down' or even transformed into moral approval.

French diplomacy, for instance, at once began to whitewash the Russian autocracy the moment that an alliance with Russia became desirable; while British statesmanship for the first time was prepared to recognize qualities of a good neighbour in Russia only when the conclusion of the Russo-

Japanese war dissipated any fear of a Russian hegemony in the East.

Up to 1906 Russia, as we all know, was a byword for tyranny and barbarism. And yet, when the accommodation of policy between Great Britain and Russia in the East became possible, and old antagonisms seemed to be at an end, moral indignation against the Tzars and against Russia somehow subsided. The Anglo-Russian Entente was indeed inaugurated at the very time when a feeling of moral indignation against the Russian Government seemed more than ever justified, in view of the punitive expeditions that had recently occurred in the country, and of Stolypin's *coup d'état* of June 1907.

How thoroughly political sentiments change I can best prove to you by reminding you of the marvellous evolution of the Russian Cossacks. For half a century the savagery of the Cossack and his knout were part of the regular stock-in-trade of anti-Russian propaganda. Yet during the war the Cossacks were welcomed as trusted Allies; while after the Revolution they were even hailed as the defenders of civilization.

And yet the typical bearded Bolshevik of the cartoon is after all merely a reincarnation of the Cossack.

The giant Cossack with the knout and the horrible Bolshevik with a torch in his hand and a knife between his teeth have been haunting the imagination of Europe so long, that probably no discussion of Russian affairs is entirely free from these associations. I should not be surprised indeed if some of you already see a Cossack's whip in my hand or a Bolshevik's knife between my teeth.

I do not want to detain you with anything like a recapitulation of the diplomatic history of Russia during the last fifty

years. But a statement of one or two of the leading tendencies in this policy is, I am afraid, indispensable.

For the last few years thinking people in Russia as well as abroad have been apt to reflect on the peculiar geographical and cultural position of Russia as standing between West and East.

A victim herself of Asiatic invasion, Russia's historical achievement for civilization has been her ultimate repulsion of the Asiatic hordes—the Tartars and the Turks. But this success was achieved only at the cost of a considerable incorporation of the Asiatic strain.

There are indeed two conflicting mental attitudes discernable in all manifestations of the Russian spirit—the European and the Asiatic.

It can almost be said that, while her intellect has always made Russia gravitate to the West and Western civilization, the dead weight of her instincts has paralysed this upward movement, and tended to push her back into Asiatic fatalism.

Politically this dualism reveals itself in an uncertain equilibrium of alternate European and Asiatic preoccupations.

But what was the attitude which European diplomacy adopted towards this clash of Russian aims? Was it a helpful one? No, on the contrary.

In this tragic conflict of national characteristics the rôle of European diplomacy has been mainly that of checking Russia's European aims and so compelling her to seek Asiatic adventures and interests.

Indeed, the penetration of Asia offered always the line of least resistance to Russian diplomacy and afforded an easy compensation for any loss of prestige which she sustained in Europe.

The biggest adventures and conquests which Russia pursued in Western and Middle Asia in the sixties followed the rebuff she received at the Peace of Paris in 1857, when she suffered the first effective check to her Balkan policy.

It was then that Russia incorporated the Amur, devoured Turkestan, Khiva, and Bokhara, and finally by making a treaty with Afghanistan aroused the gravest suspicions in Europe and especially in Great Britain.

This period of expansion into Asia was terminated in the early seventies as the result of the entirely new European situation brought about by Germany's successive defeat of Austria and of France and of the final creation of a strong and united German Empire.

Russia's European interest then awakened afresh. A probable factor in this awakening may be discovered in the sudden revelation of the strength of the Revolutionary movement in Russia and its connexion with the menace of Socialism in Europe.

The exploits of the Terrorists in Russia, the violent outbreak of the Paris Commune, and the activities of the Socialist Party in Germany could not but remind Bismarck and Tzar Alexander that Russia had one interest, at least, in common with the Central Empires.

Yet the alliance of the three Emperors, which looked so much like a *réchauffé* of the Holy Alliance, was shortlived if not stillborn; for the clash of Russian and Austrian interests in the Balkans was more compelling than the personal relations of the Emperors and their common interest in fighting Socialism.

Bismarck indeed, realizing this conflict of interest, tried to persuade Russia to close her door on Europe and definitely to turn eastwards.

But Russia's moral commitments as champion of the Christians in the Balkans and her interests in the Straits, undefined at this time but still active and real, forbade her to act on Bismarck's suggestion.

In fact, the Russo-Turkish war of 1877 and 1878 revealed clearly to the world the second of the big trends in modern Russian history, the trend to seek an outlet to warm waters and to get hold of Constantinople. The importance of this War lies in the fact that a combination of European powers forbade Russia to set foot in the Mediterranean. Russia had been victorious but was not allowed to reap the fruits of victory. For the understanding of what followed it is necessary to realize that to the Russian mind Constantinople had already been taken. When therefore a practical veto on its occupation was imposed by the Congress of Berlin, British diplomacy and British diplomacy alone was made responsible for this misadventure.

The Berlin Congress then is indeed not only responsible for the sowing of the seeds of passionate Anglophobia which have been kept alive in Russia until this day, but for a much more important fact, namely that it deflected the European phase of Russia's foreign policy and drove Russia once more to seek compensation in Asiatic expansion.

This time Asiatic expansion was no longer a blind movement of grab here and there. Its menace consisted in the fact that it now acquired a momentum and motive which might almost be described as national. It was indeed an attempt to unify the heterogeneous elements of Russia's vast Asiatic population and to obtain for that Empire such a dominating position in Asia as would give it unimpeded access to warm waters.

It was in pursuit of this great aim that such gigantic under-

takings as the Trans-Siberian Railway and the East Manchurian Railway were conceived and executed and a policy formulated designed to secure for Russia some share in the command of the Pacific.

This phase of Russian history may be said to have had a double significance. In Russia it led straight to the downfall of the monarchy and to the outbreak of the Revolution; while in world politics it firstly established Japan as one of the great Powers and secondly helped to rouse Asia against European domination and penetration.

But the problem of the Pacific is still unsettled. Yet the present lull can only be temporary, and neither Japanese ascendancy nor Russia's elimination as a great Power can be regarded as final.

Yet it is well to fix in mind the main factors which established this ascendancy of Japan.

The rise of this great Asiatic Power has been too sudden and too dramatic not to tempt observers to invest the whole occurrence with an element of the mystic and the romantic.

History, I fancy, will reject these elements and will explain Japan's evolution in terms of economic and geographical forces.

In their war with Russia the Japanese certainly manifested a marvellous discipline and more than ordinary wisdom. This explains their tremendous diplomatic victory. Their military victory, which is sometimes magnified as a superhuman achievement, was probably less remarkable than is believed; for the Colossus of the North whom they defeated was in fact very far from being a first-rate military Power.

To make such a statement to-day is easy enough; but before the battle of Mukden, and even for long afterwards, the miscalculation of Russia's strength was an outstanding

delusion which haunted the imagination of European statesmen and military experts, and was only finally exploded by the events of the Great War.

The military aspect of the Russo-Japanese conflict is, however, outside the scope of this lecture. But the diplomatic associations and consequences of this, the first chapter of the great struggle for the domination of the Pacific, is of the greatest importance to the understanding of the subsequent political developments both in Europe and in Asia.

The first stage in this struggle was the defeat of China and the consequent establishment of Japan as the leading Asiatic Power in the Pacific.

The second was the intervention of three European Powers, Germany, France, and Russia, who posed as champions of the integrity of China in order to prevent Japan from exploiting the results of her victory, an intervention in which Great Britain took no part.

The third and still less defensible stage was reached when Germany and Russia soon afterwards, the better (so they proclaimed) to secure this integrity, occupied Shantung and Port Arthur respectively and when Great Britain followed by occupying Wei-Hai-Wei. The consequences of this daylight plunder of China are felt to this very day.

The fourth stage came when Japan decided to take the unprecedented step of making war upon a great European Power with the help of European arms and European methods.

The conclusion by Japan of an alliance with Great Britain (which distinguished the fifth stage) and secured the neutrality of all other European Powers was a master stroke of diplomacy. This Alliance with the most advanced European Power contributed no less than the military victory over

Russia to raising the prestige and the international status of Japan.

The collapse of Russia in the East put an end both to her policy of expansion in Asia and to her ambition for securing a dominant position in the Pacific.

Russia returned to her European preoccupations and a new period opened destined to be crowded with events.

The completeness of the defeat and the country's indifference to it can only be explained in the light of the growing sense of the aimlessness of the policy of Asiatic expansion.

At that time economic, political, and cultural conditions all combined to make Russia turn her back on Asia and face Europe with a renewed enthusiasm. The crushing defeat of Russia in Manchuria in 1905 opens definitely the European period of Russian history.

The industrial development of the country which made considerable progress in the nineties and in the opening years of the twentieth century drove Russia back inevitably to the West.

And the only circumstance which retarded the country's evolution into a Western State was the feudal character of its agriculture.

The inertia of her villages perpetuated Russia's backwardness and fixed on her the unmistakable stigma of Asiaticism.

But this same period was remarkable for the first serious attempt on a national scale to shake off these remnants of feudalism.

The significant fact is that the beginning of Russian Parliamentarism, that is the political Europeanization of Russia, is closely connected with the solution of the Agrarian problem.

The first State Duma attempted no other business save the

solution of the land question, and it was prorogued just because of this preoccupation.

But the modified assemblies which took the place of the first Duma followed faithfully in its footsteps right down to the outbreak of the Great War.

Unfortunately, however, neither the Revolution of 1905 nor the statesmanship which should have countered this Revolution, were able to overcome the opposition of the vested interests of the landowners.

The land question remained the cause of the latent instability of the country. It was left unsettled; so that when Russia was faced by the supreme trial of a really national war she lacked that cohesion and unity of purpose which might have enabled her to win through.

The return to Europe, painful and complicated as it was, inevitably revived the problem of how Russia could gain access to warmer waters.

The question of the Straits and of Constantinople was presented afresh to the Russian mind and to European public opinion.

Russian statesmen began now to play an active part in European politics. They were ready to forget old animosities and to make new friendships. They were prepared to support any cause, and to oppose any scheme, with the vigour and unscrupulousness of 'Realpolitik', so long as they pursued their one aim of securing a revision of that decision of the Berlin Congress which forbade warships to pass through the Dardanelles.

This idea of securing a passage for Russian warships through the Straits soon became an obsession.

Now that all the archives have been ransacked and their

documents published we can realize the extent and intensity of this obsession.

In the eight years which began with the initiation of *pourparlers* with Great Britain and Austria for the revision of the Berlin Treaty and ended with the outbreak of the Great War, the whole machinery of the State seems to have been employed in the service of this one idea.

A perusal of these documents affords a striking revelation of the strange mentality of the Russian Imperial régime at this time.

The simplicity which allowed serious statesmen and diplomatists to expect Russia to receive gratuitous support from Austria, and the cynicism which they displayed at one time in intriguing for a war with Turkey and in even preparing for a direct and secret attack on the Straits, and at another in volunteering to defend Turkey from a possible attack by Italy, would be incredible, were they not abundantly vouched for by indisputable evidence.

But all these diplomatic efforts and intrigue proved futile. Constantinople could be reached by Russia only through a European War and Russia joined the Entente in the War with Germany with the fixed idea that in this venture and in this venture alone her opportunity lay.

We know that, after Turkey became Germany's ally, Russia actually obtained the explicit consent of Great Britain and France to regard the conquest of Constantinople as a war-aim.

But before this conquest could be consummated the outbreak and development of the Revolution not only finished Russia as a military force but created an entirely new political outlook in Europe.

Revolutionary Russia not only renounced Constantinople

as a national aim but assisted Turkey in defending her independence and in retaining full command of the Straits.

The Peace Conference at Lausanne demonstrated the fact that both Great Britain and Russia had reversed their policy in the matter of the Straits. It was Chicherin, New Russia's diplomatist who insisted that the Straits must be closed against all warships, and it was Lord Curzon who forced a change of status in the Dardanelles.

To-day the question of Russia's securing an outlet either in the Mediterranean or in the Pacific seems no longer urgent and even to be abandoned. But this impression is hardly correct.

I think it may be safely predicted that Russia's rôle in the Pacific and her interest in the Balkans are bound to be resumed. The reappearance of Russia's claim to an unhampered use of the Straits and to a prominent position in the Pacific will open a new and most important page in World politics.

The peace of the World in this and the next generation will largely depend on whether Europe and Asia are able to come to terms over the control of the Pacific, whether Australasia can remain an exclusively white man's country, and whether the Chinese Revolution is susceptible of a peaceful liquidation.

In the solution of these vast and fateful problems, Russia is playing a great part and is surely destined to play a greater. Is she to be on the side of the West or against the West; or is she to serve as a bridge between West and East?

Before attempting, however, to suggest any reply to these momentous questions and before we can discuss the very delicate and very complicated present and future relations between Russia and the Western Powers, it is necessary to

examine the political mood and political aims of Russia as a result of the Revolution.

The aim, idea, and purpose of the Russian Revolution, to say nothing of its origin, causes, and forces, will probably be a subject of discussion for years and decades to come; and it is quite likely that even historical opinion may be divided on some of these points. But even to-day it is impossible to doubt that the biggest and most salient result of the events which are summarized in the phrase 'Russian Revolution' is the change which has taken place on the land.

In fact the change in the villages has not only affected the overwhelming majority of the Russian people, but has created all over the country new relationships between the tiller and the soil, between the countrymen and the townsfolk and between the people and the State.

In comparison with the vast and elemental transformation which has reshaped the villages, the dictatorship of the proletariat, the nationalization of industry, and the abolition of money, dramatic as these events seemed, were, historically speaking, a mere grimace.

The Agrarian Revolution is the more striking because in the short period of a few years it has gone through two diametrically opposite processes. Between 1917 and 1919 we witnessed in Russia an all-embracing tendency towards nationalization of the land and equalization of the holdings—a spirit which could be easily mistaken for Communism and which actually gave rise to the belief that the Russian villages were on the way to adopting a collective system of agriculture.

By 1920, however, the business of expropriating the big and small landowners and of dividing the land had been completed, and the ideal of nationalization and equalization was quickly losing its attractiveness.

The Russian peasants who for nearly a century had been believed to incline to communal ownership of the land, and who, in the first years of the Revolution, while the battle for the land was raging, were devotedly attracted to this doctrine, suddenly began to evolve individualist aspirations.

The vague and uncertain desire for equalization, having served its purpose by securing the division of the landlords' estates, gave way gradually to a passion for ownership.

This tendency towards individualist—that is capitalist—farming was the more unmistakable, because all circumstances seemed to combine to favour the opposite tendency, that is the tendency towards equalization and nationalization. The primitive assembly of the peasants (the Mir), the teachings of Agrarian Socialists, the instincts of the peasants themselves and their primitive ethics which forbade possession of the land 'the domain of God,' as well as the law passed by the new state—all supported nationalization and equalization.

The grim determination of the peasants to break with their own tradition and with the force of circumstances, proves conclusively that Russian agriculture will henceforward assume an increasingly individualist, that is, occidental, character.

The transformation of 80 million serfs, hungry, idle, deprived of all incentive, into owners of land, prompted by an awakened sense of ownership and ready to assert their independence and initiative, is indeed an event of the utmost European importance.

It is indeed impossible to overestimate the significance of the Russian Agrarian Revolution for the future of Europe; and this is my excuse for making what must seem to you to be a long digression. For some time it may be rather difficult to envisage the full scope and significance of the change in the Russian villages. It will need probably a series of good

harvests and an increasing export trade in Russian grain to bring home the real meaning and extent of the new aspect of agriculture in Russia.

With urban life definitely and vehemently associated with industrialism and the Agrarian Revolution accomplished Russia has become for all intents and purposes a European nation.

This statement may seem very dry and formal, and at first sight may convey very little. Yet, in my opinion, it describes nothing less than the most momentous event in Russian history.

If indeed I were not afraid of being paradoxical I would boldly assert that real Russian history only begins with this event.

True, the Russian State has behind it a thousand years of history; but the Russian people had in all these years never become conscious of having any part in that history.

But in the two tumultuous decades which this people has just passed through, history has been made not in the Chancelleries, nor on foreign battlefields, but in the villages and on the land.

These remarks I make, so to speak, in parenthesis; for what I wish to stress is not so much the appearance of the Russian people as an active factor in Russian history, but the inevitable repercussion of this great event on European history.

To use a Russian phrase, the peasant has now turned his face to Europe.

But is this really so? And what of the notorious hostility of the Revolutionary leaders to Europe, and what of their readiness to arouse and to support against European domination any revolt of the backward and oppressed races?

Are these activities at all reconcilable with the statement I have just made that Russian history is henceforward to be made in Europe?

In dealing with this dilemma I think we are approaching the real crux of Russian relations with the outside world.

It is indeed, logically speaking, a dilemma; but, to my mind, it seems a psychological and not a political or a sociological problem.

I am afraid that I have not the time to enter upon any detailed explanation of the origin and meaning of this obvious contradiction in Russian present-day politics.

My analysis of it must, therefore, be of the briefest.

In a revolution, I take it, as in any other social, political, or economic event, there must always be associated permanent and essential and temporary and accidental factors.

You will easily agree with this as a purely theoretical notion; but if I say that I consider the dictatorship of the proletariat, with all it stood for, as purely accidental from an historical point of view you may be inclined to decry that statement as a paradox.

First of all, let me qualify this statement by assuming that accidental does not, of course, mean unimportant or trivial. History is full of the impressions made by accidental causes. And in the case before us it is only fair to state that the Bolshevik leadership in the Revolution, accidental as it was, has played a very considerable part in the development and accomplishment of the Agrarian Revolution itself. The Bolsheviks may also be right in claiming that their policy of autonomy and federation within Russia and their determined fight against foreign intervention have co-operated to preserve Russia's political and economic integrity.

Nevertheless, I maintain that my contention is well founded; and in proof of it, it is sufficient for me to point out that the proletarian character of the Russian Revolution is being steadily effaced.

I may remind you, however, that the accidental character of the Bolshevik régime is implicit in its war origin. If one single factor can be said to have deflected the character and the aims of the Russian Revolution, it is, without doubt, the circumstance that it took place during the Great War and as a direct consequence of Russia's defeat in that war.

The war origin of the Revolution is indeed its greatest misfortune. My belief is that, had it taken place when the Great War was over and had not its aims been entangled with military operations and with the Allied cause, the Russian Revolution would have assumed a very different character and trend.

In that case it would have been recognized for what it was, a purely agrarian revolution.

As events turned out the Agrarian Revolution did occur; but its significance was almost smoke-screened by the grave problems of Russia's imperative duty of supporting her Allies and of withstanding her enemies.

Its military milieu perverted both the aims of the Revolution and the attitude of the outside world towards it.

The conflict of the Allies with Revolutionary Russia about the conduct of the War was the initial cause of misinterpretation, vilification, and animosity.

Another, and probably a more decisive cause was the fear of the Allies that the leaders of New Russia might be tempted to exploit the post-war tension in an endeavour to sow the seeds of revolution in Western countries.

In this respect, too, the occurrence of the Russian Revolu-

tion during the progress of a European war was a dire misfortune for Russia.

The whole psychology of Bolshevism was submerged in a flood of war talk and war vision; while the psychology of the outside world was clouded by the sole fear of revolutionary contagion.

I think it is perfectly fair to claim that the Third International with its propaganda of World Revolution, and the fear of this propaganda which dominated Western Europe both had their origin in the War and in the post-War situation.

All revolutions in history have been imbued with the missionary spirit; and the Russian Revolutionists would in any event have tried to disseminate the revolutionary gospel.

But the unprecedented intensity and character of this dissemination, and the fact that the Revolutionists seemed to consider it almost their sole business, must be attributed to a singular illusion cherished by the leaders, who began to believe that the World War was the first stage to World Revolution.

The Bolsheviks certainly would not have been true to their principles if they had refrained from attempting to bring about World Revolution the moment they acquired the power in Russia.

But that they could find such a *résonnance* in their own country and could with impunity neglect for years their direct duty as a Government in order to act as a General Staff of the World Revolution can only be explained by the fact that the illusion from which they suffered was shared by the Russian people and had become something of a national obsession.

On the other hand, the fact that the outside world should for years have believed that the contagion of Bolshevism

constituted a real menace is again a phenomenon only to be understood as a product of the psychology created by war and post-war conditions.

That these Western countries should have come under a permanent spell of disquietude and apprehension and that they should have been unable to break it, is indeed irrational and puzzling.

It may have been due in part to the fact that there are people on both sides, Bolsheviks and anti-Bolsheviks, who profit by keeping the menace of World Revolution alive.

The Bolsheviks are of course so deeply committed to a belief in the imminence of World Revolution that they dread to let their supporters discover that they have in fact long abandoned it.

The violent struggle in the Communist ranks to-day against the so-called Opposition is accentuated by the Opposition's tactless zeal for showing up the leaders of the party as recusants to the cause of World Revolution. And in any case until people on this side definitely abandon the policy of isolating, boycotting, or in any other way cold-shouldering Russia the chance of raising the spectre of Soviet Russia as the champion of World Revolution is an asset not lightly to be surrendered.

In the Western World the fiction of a World Revolutionary menace is preserved, I suppose, because it is in many ways so profitable as a bogy.

But my time is getting exhausted and I must not linger on this theme. The few minutes left me I must devote to an examination of the attitude of Western diplomacy towards Russia.

Such an examination should begin, I suppose with Great Britain, in the first place because of the international position

and weight of that country, and secondly because Great Britain acted throughout as the pioneer in European relations with post-Revolutionary Russia.

British diplomatists were the first to recognize the Revolution in 1917. They were the first to declare war on the Bolshevik régime. They were again the first to terminate the policy of isolation and to begin to trade with Russia in 1921. They were the first to recognize the Soviet Government first as the *de-facto* and later as the *de-jure* Government. And finally (but is it finally?) they set the example of breaking off diplomatic relations with Russia and of expelling the Bolsheviks bag and baggage.

But if I were to proceed to examine the Russian policy of each big State separately, I should not only be exhausting my time but should be obliged to repeat myself. Moreover, in spite of divergence of interests between the various Powers, they may be said to have a more or less common Russian policy.

How then can we formulate the attitude of Western diplomacy towards Russia?

The intrinsic weakness of this policy towards Russia seems to lie on the one hand in the absence of any clear and defined aim, and on the other in the too great dependence of this foreign policy on domestic affairs.

If I remind you of two phases only of the policy of the British Government, the step taken by the Socialist Government in 1924 in establishing full diplomatic relations with Soviet Russia and that taken a few months ago by the present Conservative Government in breaking off these relations, you will readily agree with me that in each case the decision taken was mainly due to a desire to satisfy the dictates of domestic affairs and of party politics.

The same entanglement of their Russian policy with domestic issues can be seen both in France and the United States. For instance, the question of the recognition or non-recognition of the Soviet Government is permanently shelved in the States because the Republicans and the Democrats are both resolved not to bring it into the arena of domestic politics.

But this entanglement of foreign policy with domestic issues, while it increases the futility and complexity of relations with Russia, is after all, only a secondary source of weakness. The prime cause of the muddle is the lack of a consciousness of ultimate aims.

It would seem as if European and American statesmen have not yet settled in their minds any of the big problems raised by the change of régime in Russia.

They appear not only to be ignorant of what is likely to happen in Russia in the near future, but to have only the haziest ideas of what *has* happened there.

And they certainly have yet to determine what kind of relations it is desirable or possible to establish with the new régime.

This indefiniteness of aims and purposes may be said to constitute the general Western European attitude towards Russia.

If we examine, for instance, public opinion in Great Britain, we shall find that out of three or four different schools of thought the Conservative 'Die-hards' alone possess a definite line of policy.

This school, in its attitude to New Russia, seems to hold the same ground with those politicians who from the sixties to the eighties regarded Russia as the secular and irreconcilable enemy. In their opinion Russia is an Asiatic country, with an Asiatic hatred of Great Britain. They warn their country-

men that they should be under no illusions that East will ever meet West. In their opinion any weakness in opposing Russia's aggrandizements, any attempt to bridge the abyss that separates the two Worlds, will be fatal to Great Britain. Their teaching is isolation of Russia, no dealings with the Soviets, and the final closing of the doors of Europe on them. They warn not only Great Britain but Europe generally, and they call for a general crusade to defend European civilization against the Bolshevik hordes.

To-day they are busy organizing a so-called united front of European Governments against the Russian menace. What they really have in mind it is difficult to ascertain; for their programme is purposely left undefined and is couched in the most general phrases about the necessity of defending civilization, which means I suppose the existing order, against the Bolshevik onslaught. But some of the franker adherents of the school have been rash enough to cross the t's and to dot the i's; so that there is little doubt that the ultimate aim of this united front is the complete exclusion of Russia from European intercourse.

So far no united front has been established, chiefly because Germany for obvious reasons has not been willing to join any European coalition against Russia. But without the wholehearted co-operation by Germany the dreams of the united reactionaries of driving Russia back again to Asia are unrealizable. The defeat of the idea of the united front is the more painful to the 'Die-hards'; because it was, after all, only the next step which should logically have followed the breaking off of Great Britain's diplomatic relations with Russia. If Soviet Russia cannot be made to feel the pressure of united Europe the chances are that the interruption of diplomatic relations will be successfully defied by the Soviets and will be revealed

as a deplorable blunder. It is likely therefore that the 'Die-hards' will refuse to accept defeat and will make another and a more determined effort to gain her co-operation in the anti-Russian coalition by holding out to Germany very considerable inducements. At present, as a return for joining the united front the Reich is offered[1] an early evacuation of the occupied territory, the return of some of her colonies, the removal of the veto against the incorporation of Austria with the Republic and even a permission to increase her armaments and fighting forces. So far the unofficial European reactionaries have not been able to make up their mind to include in this bribe the return of the German territory now occupied by the Polish corridor. But the desire to bring Germany into an anti-Russian coalition is so great that even the 'corridor' may be thrown in.[1]

Despite all these overtures, however, there is reason to believe that Germany's foreign policy will be based in the future, as it is based at present, on a steady endeavour to regain her position in the West, while consolidating and deepening her friendly relations with Russia.

So much for the Russian policy of the Die-hards. I will only add that as represented by its more extreme adherents this school may not be very numerous. But when its opinions are couched in less rigid and militant terms, it commands the allegiance of a fairly large audience.

Another school, which can be described more or less accurately as expressing the views of the Liberal Party, believes or professes to believe that the Russian Revolution has strengthened or is likely to strengthen the European trend in Russia, and is therefore inclined, both in the

[1] See, for instance, the pamphlet 'Germany and Europe' by Hergner.

interests of European peace and of British trade, to favour some sort of understanding with Soviet Russia.

But this school is not only less numerous and less vocal than the other; its chief weakness lies in the fact that it is not quite convinced of the premises of its own policy. Consequently its weight in shaping public opinion is not considerable.

A more influential group, and one with a considerable following in Great Britain is one which is frankly opportunist, a school which at heart agrees with the anti-Russian views of the Die-hards, but at the same time advocates a *via media* not for the sake of an understanding with Russia, but as a necessary preliminary to the pacification of Europe. Of this school Sir Austin Chamberlain, I take it, is the leading spokesman. We know that both the Russian and the British 'Die-hards' have combined to defeat his policy; but it can safely be predicted that the moderate view which the British Foreign Secretary represents is bound to be revived. Personally, I think that a policy of reconciliation, to be at all effective, must be attempted for its own sake. Peace with Russia is of value and importance in itself or of no value at all. Attempted not for its own sake but merely as a means for the general pacification of Europe, it is bound to fail.

The attitude of the Socialist parties still more deeply complicates the relations of Western Europe with Russia. With the exception of the United States, where the Labour movement is in the most direct antagonism to the establishing of any sort of relations with Russia, Socialists as a party are in favour of bringing Russia back into the community of nations.

But this party's advocacy of peace with Russia is ineffective

because in their own relations to Russia they are hopelessly divided between the Left-wing enthusiastic believers in the infallibility of the Moscow Gospel, the Right subscribers to the most extreme kind of anti-Bolshevik doctrine, and Rank and File members who, interested only in one issue, employment and trade, are one day clamorous pro-Russians and the other cold and indifferent, just according as a settlement of relations with Russia is presented to them as certain to increase employment or as not likely for years to make any essential difference.

All this considered, the wonder perhaps is not that the Western Policy towards Russia should be contradictory, puzzling and even baffling, but that it is not even more so.

I am not blind to the fact that the present Russian diplomatic mind and procedure is very extraordinary and that world diplomacy has to encounter from Russia some very brusque departures and solecisms. But diplomacy is after all not primarily a question of deportment; it is a question of aim and effect. I maintain, and I am sure that every impartial observer will agree with me, that diplomatic intercourse with Russia is essential if the aim is to help Russia along the difficult road of evolution from Revolution.

As a matter of theory and of correct procedure a refusal to recognize the present Russian Government or the breaking off of relations with that Government may be justified a thousand times. If it were simply a matter of temperament antagonized and of patience well-nigh exhausted, there would be not much difficulty in understanding and even approving of it. But the problem of relations with Russia is not merely a concern of to-day; statesmen must very often put a blind eye to many occurrences and conditions prevailing

to-day in order the better to provide for the possibilities of to-morrow.

Soviet Russia has been condemned on two counts. The first is interference in the internal affairs of the European States; the second is fostering revolution and anti-British feelings in the East.

Although the first of these indictments is much older and much more popular and vocal than the second I, suppose I may without being considered impertinent state my opinion that the present tension and the breaking-off of normal relations with Russia were brought about not by the revolutionary propaganda in the West but by the Soviet activities in the East.

The first reason I give in support of this statement is purely negative. I simply refuse to believe that such a fateful decision as the rupture of diplomatic intercourse is likely to have been caused by such trivial motives as have been assigned for it. In saying this I deny neither the existence of Bolshevik propaganda, nor the annoyance this propaganda is bound to cause. But I cannot believe that it is producing the slightest results, and I find it therefore hard to credit it with having had such tremendous consequences. Bolshevik propaganda, or rather the revolutionary contagion, was at one time very serious in agricultural countries; but happily in almost all countries in which backward agricultural conditions and economic chaos following the war made such revolutionary contagion possible, the introduction of radical agricultural reforms and of a measure of economic stabilization has ultimately paralysed the revolutionary appeal.

I have in mind chiefly the Baltic States, Poland, some of the Balkan States, and Czechoslovakia. But I also include Germany and Austria also. In the rest of Europe the pro-

paganda for World Revolution may have been very serious for a very short time. It may even be very active at present. It is however no longer a menace but simply a nuisance, and it would long ago have ceased altogether if people on this side had been content to regard it as negligible.

Propaganda for World Revolution when World Capitalism is obviously consolidating itself is sheer madness. But in this madness duly considered there seems to be a certain method. Propaganda or threat of propaganda will last as long as people over here take it seriously. If the Bolsheviks still adhered to the doctrine of World Revolution and considered the chances of revolutionary propaganda favourable, the only way of conducting it would be through secret and subterranean channels; and you will admit that the Bolsheviks are past masters in such silent and persistent revolutionary work. If then we see them now instead *openly* boasting and threatening, the only explanation is that they are bluffing. All this revolutionary talk is mere froth and bombast designed to frighten those who like being frightened.

So I think I may be forgiven when I refuse to accept the view that the British Government has broken off diplomatic relations with Russia as a consequence of Bolshevik propaganda in Great Britain.

I assert, though of course I obviously cannot bring any conclusive proofs, that the real reason for breaking off diplomatic relations is to be found in the situation in the East.

Here we are dealing with grave facts and with a real antagonism of interests; although it is quite possible that even here we should make allowance for a certain amount of bluffing.

First of all, it is necessary to make it quite clear that Russia

as a State possesses interests in the Far East which would impel her to take a share in the settlement of Eastern affairs, even had she not been trying to make China the ground for a conflict with Great Britain.

Russia's Asiatic interests, in trade, in the Manchurian Railway, in the security of her frontiers, and in the minerals of her vast Far-Eastern regions are as legitimate as those of Great Britain, France, Japan, and the United States.

Again, on the question of the control of the Pacific her interest is as legitimate as that of the other States; and I take it that her interest in the outcome of the upheaval in China, which is at bottom an agrarian agitation, if not as close and as legitimate as those already enumerated, need not *prima facie* be regarded as suspicious. Japan, for instance, first supported the Manchurian War-Lord and is now believed to be on the side of the moderate wing of the Nationalist Party; yet no one thinks of calling this sort of benevolent neutrality an international offence.

Russia's offence consists, I take it, in giving active military support to one side in the Civil War, and in inciting the Chinese workers to storm the European Settlements.

Had the Western Powers made a distinction between legitimate interests and revolutionary pre-occupations, I am certain that a solution of the conflict might have been rendered much easier and more promising than it is now.

But the legitimate interests of Russia have been totally disregarded, and the Soviet leaders have made use of this injustice as a pretext for a still bigger injustice—the concentration of all their energies in an endeavour to transform the Chinese Civil War and the Agrarian Revolution into a crusade against European interests in China.

The result of all this is the present chaos, tension in

Europe and a most dangerous unstable equilibrium in the Far East.

A situation which could have been easily and honestly settled if only the great Powers had not been too proud to negotiate with a Revolutionary Government.

I think I am right when I assert that the mood of present-day Russia is similar to that of the famous General Skobelev, who, more than half a century ago, in the midst of his preparations to march on India, declared, in a report to the Tzar, that he would gladly exchange hostility with Great Britain in Asia for a good understanding with her in Europe. I have no doubt in my mind that the present hostility of Moscow to Great Britain would be easily forgotten in jubilation over reconciliation with that country.

Summarizing, I may say that in my opinion the reasons for the mistakes committed by Western States in their Russian policies, can be discovered in two failures, a failure to take long views and a reluctance to look at large-scale maps.

Just as it is possible, despite the differences of interests and traditions between the various States, to speak of a general Western European attitude towards Russia, of which we may take Great Britain as the representative, so we may discover, I think, a general Central European attitude towards that country, with Germany as its representative.

The main difference between the Western and the Central European attitude seems to consist in this, that whereas in the West there exists a traditional and latent hostility towards Russia, in Germany will be found a latent friendliness towards that country.

This is a historical difference. But it is strengthened by a broad difference of interest based on geographical position.

By this I mean that however serious may be the political and economic interests which Great Britain, France, or Italy may have in Russia, they can never approach to that intimacy which Germany has always maintained by reason of her proximity to her great neighbour. Russia is indeed a kind of hinterland for Germany, and just as the national economy of Germany reckons on this fact and is largely based on the possibility of penetrating and exploiting this hinterland, so Russia, far from opposing this economic penetration, is ready to profit by it, so long as it is conducted with a modicum of tact and courtesy.

This attitude of economic co-operation is indeed not a post-War but a pre-War factor in Russo-German relations. The penetration of Russia by German capital, intelligence, and organization was, as we all know, so widespread before the War that, had the War never occurred, Germany would now be enjoying a dominant position in quite a number of Russian industries.

It is very interesting to note that, contrary to expectations, the War failed either to destroy existing international friendship or to bridge over old international animosities.

Early in the War the Germans understood that a permanent break with Russia would be the greatest loss they could suffer in the War. And the German press was never weary of reminding the people that Bismarck's political testament laid it down that one of the keystones of German foreign policy should always be an understanding with Russia.

The Russian Revolution was welcomed in Germany not only because it weakened the Allied forces from a military point of view, but also because it re-established peace between the two countries and reopened Russia to German penetration.

When Germany was ultimately defeated in the West and

saw some of her Western provinces occupied by the Allies, she was more than ever disposed to look to Russia as a comrade in misfortune, whose friendship would compensate her for loss of prestige and power in the War.

That this friendship was slow in developing must be ascribed to two circumstances, the necessity of Germany's avoiding any collision with the Allies, who had it in their power to support the Separatist movement in Bavaria and on the Rhine, and the impossibility of cultivating good neighbourly relations with a revolutionary Government while fighting revolution at home.

But the more relations with the Allies became stabilized, and the more her new democratic régime and new economic power became settled, the more surely and steadily Germany began to regard cordial relations with Russia as one of the basic props of her foreign policy.

Even to-day Germany's policy towards Russia is obviously embarrassed by those two sets of facts, the necessity of reconciling her Russian policy with her Locarno policy, and the difficulty arising from having to maintain friendly terms and co-operation with a Government to which the other Western States are more or less hostile.

But whatever the embarrassments, they can no longer affect the foundations of German policy of friendship to and co-operation with Russia.

Now although the attitude towards Russia of the United States is outside the scope of this lecture, I must crave your permission to make one or two remarks on this subject.

The Bolshevik leaders must, I think, be puzzled by the fact that, whereas in Europe they count such friends as they have among the workers and their ideologists, in the United States

the leaders of the workers are their outspoken antagonists and they have well-wishers only among the plutocrats.

I shall make no attempt to explain this very piquant situation. Maybe this friendliness expresses but the capitalist's presentiment of joy at discovering one more possible market. Or it may be less selfish and more sentimental, as voicing the admiration which the one half-Continent may well feel at the awakening of another, admiration for mere size of country and similarity of opportunity.

The similarity between the economic and political evolution of the United States and the beginnings of such an evolution as can be observed in post-Revolutionary Russia is indeed remarkable. Take for instance the preponderance of agriculture and the development of the internal market in both countries. A student of Russian economics will find abundant food for thought in reading the economic history of the United States. Even the monopoly of Foreign Trade, which is considered an exclusive Bolshevik invention, has been in a somewhat different form known in the States in their early beginnings.

But I have no time to labour this point. What I want to say is that Russo-American relations seem to me entirely a question of the future. Whether they develop into friendship, animosity, or indifference will depend not so much on present-day sentiments, as on the emergence of the problem of the Pacific.

CHAPTER XV

THE BRITISH COMMONWEALTH AND THE LEAGUE OF NATIONS

Professor Alfred Zimmern:

MY subject this morning is the British Commonwealth and the League of Nations, a title which, as I hope to show you, embodies two inseparable conceptions. I wish, however, to make one preliminary observation. The last time that I was in this room was at the opening meeting of the Three Power Naval Disarmament Conference. During that Conference the British Delegation, with an exquisite courtesy which I do not think has everywhere been appreciated on the other side of the Atlantic, appeared to separate these two conceptions and spoke of the policies and needs of the British Empire without expressly mentioning its membership of the League of Nations. I hope that the Americans present thoroughly realize that this was done out of consideration for the susceptibilities of their fellow-countrymen. No British subject can to-day consider the larger aspects of the policy of his country, and particularly the question of its sea-power, without reference to the League of Nations, and indeed without having his thinking dominated by the fact that Great Britain and the various Dominions are Members of the League and bound by the solemn obligations of the Covenant.

What I have to say divides itself into two parts. I wish first to discuss the British Empire and the League of Nations from a constitutional point of view—to discuss their form, and to point out how similar they are in this respect and how

both of them correspond in a very remarkable way to the needs of the age in which we are living. Then I wish to go on to deal with the question of policy and to show you how in respect of the problems of the present period the British Empire and the League are—I will not say mutually complementary, because the League is the larger and the Empire the smaller body, but inseparably interdependent.

Turning to the question of constitutional form, I would like to hang my remarks upon a text, and my text is this: 'The Sabbath was made for man and not man for the Sabbath.' To put it in secular language, institutions correspond to needs and conditions. You cannot mould an age to suit an institution made in a previous age. If there is a clash between the problems of a period and the institutions of a period, it is the institutions which must give way.

The world is still very largely living under eighteenth-century constitutions. That is particularly true of one large and important country which is not a Member of the League of Nations. In the last 150 years there has been a great transformation in the life of the world. The material conditions of human life have been more greatly changed in the last six or seven generations than in the twenty preceding centuries. The Industrial Revolution and the democratic movement which accompanied it have completely altered the external form of the planet and brought into existence an interdependent world society. It follows, therefore, that we need very different institutions from those of our forefathers.

What are the big changes that have come about? There is the economic change, which has brought into existence an international economic system, a system which operates very efficiently, which has brought some of you here from the other side of the Atlantic, and to which we owe our great

system of international trade and finance and the rest of the material apparatus by which we live.

Side by side with that, the democratic movement has given us a world which is infinitely more self-conscious than the world of 150 years ago, a world which is, therefore, infinitely more difficult to govern. Whilst the economic movement has made the world more uniform, so that telephones in China and telephones in New York are of the same type, the democratic movement has made the world more diversified, so that we have new literary languages, new cultures, new centres of discussion, new policies, and new centres of power springing up all over the world. Whereas the statesmen at the Congress of Vienna a hundred years ago were dealing with inert populations who had not yet attained full national self-consciousness, to-day statesmen are faced with movements of life, of self-affirmation and self-will, in Europe, in North and South America, in Australasia, and increasingly in Asia, and to-morrow, no doubt, in Africa.

How does this great change in conditions affect institutions? It means in the first place that we need international institutions; we need institutions that operate not locally but over wide areas; we need large-scale institutions. The age of the self-sufficient, small community, whether national or local or provincial, is over, because the problems with which Governments have to deal are to a very large extent what used to be called problems of foreign policy, but what we now call international problems. When Bryce wrote his book on 'Modern Democracies' (which was composed before the war, though published after it) he could still follow the ancient custom and devote a chapter to 'democracy and foreign policy'. To-day we know that that condition of affairs no longer holds good, and that the main problems of

our domestic life are international problems, whether they be financial, economic, social, educational, or what you will. It is as difficult to draw the line between an international and a domestic problem as it is to draw the line between a political and an economic problem. The first moral that I draw, therefore, for post-War institutions is that they must be large-scale and operate over a wide area.

The second moral is that they cannot be based on command, because these various centres of thought, discussion and power which have grown up under a democratic régime cannot be coerced. They can be persuaded, but they cannot be coerced. Our conceptions of what government means have been transformed by that fact. It would have been regarded as incredible by the political writers of a few generations ago. John Austin, for instance, would have regarded it as incredible that an institution like the League of Nations could function on the principle of unanimity, that is to say, on the principle of persuasion rather than on the principle of command. Equally incredible would John Austin have regarded the decisions of the Imperial Conference held last year, which broke up the old British Empire and destroyed the power of London to issue commands to Pretoria, Dublin, Ottawa, and so on. We have in this post-War world, therefore, a situation where we need institutions of an entirely new type, undreamt of by the political scientists of an earlier age.

The constitutions of the eighteenth century were built up on the theory that what was needed was firmly to entrench power, authority, and wisdom against the encroachment of the ignorant masses, to build up checks, balances, dams, and defences of every kind so as to preserve intact the power of command and control. That is why the older constitutions resemble Norman castles with elaborate methods for pre-

venting the mob from overrunning them; it was feared that if that happened hasty and wrong decisions might result. These constitutions aimed at the concentration of power, and the theory on which they were based was that civilization involved a process of increasing concentration. We were brought up to think that what constituted progress in the art of politics was an advance from the concentration of power in the tribe and in the city to its concentration in larger territorial areas, nation-states, and empires until finally there would be a centralization of the power of the whole world. That was the kind of scheme in Tennyson's mind when he spoke of 'the Parliament of Man, the Federation of the World'. He imagined a parliament with an executive behind it making laws which would be enforced from one centre throughout the globe. In exactly the same way there was a theory in connexion with the British Commonwealth looking forward to an imperial federation, concentrating power in London in a parliament representative of all the different parts of the Empire, which would take decisions by a majority vote and pass laws which would be binding on the whole Empire.

Now, to my mind this is an entirely mistaken theory. It was framed to fit a world that has passed away. It is pre-democratic. You cannot govern men in that way in the modern world. What we are witnessing to-day, both in the British Commonwealth and in the League of Nations—we are witnessing it day by day in their evolution—is a reversion from the old system of centralized power to a system of distributed power, dispersed throughout all the different centres, local and national, in which men are interested in political issues. We are developing a method for distribution of power, and we are building up institutions, not in order to press a

button and issue a command, but to facilitate the transmission of ideas, opinions, and sentiments so that the processes of persuasion may be made more easy. In other words, whereas the older constitutions were based on the idea of checking the flow of opinion, on concentrating authority, and arresting the onrush of ignorance, the newer constitutions aim at digging channels of transmission, of providing the world with a nervous system through which as rapidly as possible thoughts and opinions and feelings that are felt in one part may flow to the other parts.

If this view be accepted all that is needed at the centre is a point towards which these channels converge. Perhaps you can crystallize the League in a formula by using the word convergence. Geneva is the point towards which the thoughts and opinions and policies and ideals of the States Members of the League converge for discussion, for appreciation, for persuasion, and ultimately for action based not on command but on agreement, agreement based on thorough understanding.

Now you will see what a revolutionary thing was done in both the institutions I am speaking of. It was done in the case of the British Empire when the Imperial Conference last year deliberately broke up the Empire. Never in history has there been so great a surrender of formal power made at any one moment by any State as was made when the Imperial Conference accepted Lord Balfour's Report on the relationship between Great Britain and the Dominions. I will read you the words: 'Great Britain and the Dominions are autonomous communities within the British Empire'—which thereby ceased to be an Empire in the old sense of the word, in the sense of the Roman conception of imperium—'equal in status, in no way subordinate one to another in any aspect

of their domestic or external affairs, though united by a common allegiance to the Crown'—I will speak about that later —'and freely associated as Members of the British Commonwealth of Nations'. For such a thinker as John Austin that would mean complete disruption. It is one of the greatest acts of faith that has ever been performed, because the Government of Great Britain deliberately placed its confidence in spiritual forces—I do not hesitate to use the word spiritual—rather than in material forces and political forces in the old sense of the word political. It abdicated command in order to throw itself upon persuasion.

Something of the same revolution is taking place not in the institutions of the League but in men's thoughts about the League. I remember very well the kind of discussions that took place about the League of Nations in England in 1918. We then thought that it would be possible to build up, in an international form and through international institutions, something analogous to the old Concert of Europe, and that it would be possible I do not say to form a Cabinet at Geneva but certainly to centralize the foreign policies of the great Powers so that they could act permanently together in the way in which, at intermittent intervals during the nineteenth century, they acted together in the Balkans, in the Far East at the time of the Boxer rising, and on other occasions of the same kind.

Now, the whole history of the League has proved that that conception was a mistake. If you trace the development of the League for the first seven years of its life—no good book has been written about it, because as soon as a book is written it is out of date—you will find that the big successes of the League have been in the growth of organs of discussion and organs of advice. You have had descriptions of several

of them in the course of this week. Where the League has proved ineffective—I do not say where the League has failed, because I do not regard it as failure—has been in attempting to put the policies of the various Powers into a strait-waistcoat. The world is too various, too democratic, too much alive, for Britain, France, Japan, Italy, and Germany to adopt a single policy, say towards Russia or towards China. It is impossible in a democratic age for them to do so, because all these different communities have their own special interests, their own special outlook, their own special geographical situation, and their own special economic position. That kind of centralization is impossible.

The Empire and the League, then, are both of them world-wide institutions of a new type, based on the idea of facilitating the transmission of ideas and opinions, and thereby arriving at agreement and at action based not on command but on persuasion, both of them definitely moving away, and helping men's minds to move away, from the exploded idea of the Super-State.

Now let us look for a moment at the difference between the two.

The League has developed in the last few years a great number of institutions. Why? Because so soon as men come to Geneva from all parts of the world and meet round a table they discover common interests. The modern world is interdependent, and therefore it is not very difficult for the representatives of China and Peru, of Italy, Germany, Czechoslovakia, and Norway, when they get round a table, to discover that such and such a problem ought to be dealt with internationally. In private affairs international organizations have long existed, and all that we require to do is to adapt to public affairs methods which have already been

found appropriate to private affairs. In the sphere of economic organization men's minds have long ago moved away from the conception of a Super-State. No one to-day thinks of Trusts as bodies directed from a single centre and operating over the whole world. The whole modern development has been in the direction of interdependence and interlocking—cartels and so on—quite a different form of organization from that which we were taught about when we learnt political science. The discovery of common interests, which always happens when you bring people to Geneva, has led to the growth of a large number of common institutions, both in public affairs and in private affairs. Sir Arthur Salter has told you of the work of the Economic Conference, of the institutions that have developed in the economic field, of the further progress that is likely to be made, and of the close association between the work done here and the work done by the leading private association in that field, the International Chamber of Commerce. Dame Rachel Crowdy can tell you the same story in her field.

The situation in the British Empire is rather different, and for a reason which it is very important for all British people to appreciate. There are few or no common interests of a material kind between the different parts of the British Empire. The British Empire is not based on material interests, and when you bring its representatives together they have the greatest difficulty in discovering their common material interests. Take, for example, the material interests of Canada. Canada exists in defiance of geography, in defiance of economics. Canada is part of the British Commonwealth because she desires to be, and not because it pays her. The railway system of Canada would be much more convenient if it ran north and south and not east and west; that is to

say, if there was no frontier between Canada and the United States. You have only to go through the different parts of the Empire, large and small, to realize how infinitely diverse are their interests—not only the interests of the various Dominions, but of the individual Crown colonies. I first realized that this very vividly when, as an official in the Foreign Office, it fell to my lot to read the replies from the different Dominions and Crown Colonies to the Resolutions of the Paris Conference of 1916, proposing certain common economic action by the British Empire and its Allies.

The British Empire is the most variegated political community that the world has ever known, and in so far as the inhabitants of its different parts become more conscious of their situation, needs, and interests, there must be greater and greater divergence of policy. Thus it follows that although the Imperial Conference has been meeting for over fifty years it has evolved less in the way of institutions than the League of Nations, with its much larger scope, has evolved in the course of seven years. Every student of British history knows that there is an unbridgeable gulf, on the question of the taxation of food and raw materials, between the people of Great Britain as consumers and the people of Australia and Canada as producers of wool and wheat respectively. If you attempt to work out common economic institutions, therefore, you quickly break down. You can work out institutions for research, bureaux of mineralogy, mycology, and so on, but you cannot go anything like so far as the League has been able to go, because the League is based on the broad, general interests of the whole world to the exclusion of the separate interests of any particular part, while the British Empire is a very haphazard collection of territories and therefore very difficult to unify.

There is another big difference between the British Empire and the League. The League has a centre; Geneva is a centre of convergence. The British Empire has no centre. The British Empire last year deliberately destroyed its centre; London is no longer its centre. When Mr. Baldwin goes to Ottawa he is just as much in the centre of the Empire as is Mr. King when he comes to London. The Prince of Wales in Canada is as much at home as he is at Windsor.

How, then, can the Empire live? A little while ago I quoted to you the text of the Resolution which said that what united the Empire was a common allegiance to the Crown. It would take me too long to explain to Americans how British people all over the world regard the Crown. Constitutionally, of course, the Crown is not a link but an element of disruption, because the Crown is, constitutionally speaking, an organ which may be advised in six different ways by six Prime Ministers. Theoretically the Prime Minister of Canada could advise His Majesty to issue a declaration of war against Great Britain. What the Crown symbolizes to us throughout the British Commonwealth, however, is a certain tradition, a certain outlook, certain habits, and even a certain faith. What unites the British Empire is not a set of institutions such as you have here in Geneva, but something far deeper, something far more intimate, something far more sacred. You may even say that the League had to build up institutions in order that people might know that there was a League. It had to function in order to show that it existed in the spiritual sphere. The League is becoming a tradition in virtue of what it does, in virtue of its institutions and its organization. The British Empire is something which exists in the minds of British people, and therefore it is able to dispense with organization or, I would prefer to say, to base

its organization on private rather than on public institutions —because, of course, there is an enormous number of private organizations of all kinds uniting British people in all parts of the world.

There is, then, this very big difference between the League and the Empire, that the League was evolved to meet the needs of the post-War world. The post-War world needs international institutions operating throughout the world and facilitating the transmission of ideas, opinions, and sometimes prejudices, and aiming at agreements embodied in international treaties and conventions. The British Empire, on the other hand, exists through the momentum of a long history, through the accumulation of vast political experience and through the affection its citizens feel for one another and for their common traditions.

I think I have made sufficiently clear wherein lies the novelty both of the League and of the Empire in relation to older forms of political institutions.

Now let me turn to the more contentious field of policy. So far it would have been perfectly possible for a critic to argue that the League and the Empire resemble one another as institutions, but that that does not involve any practical mutual relationship. Britain might leave the League and still remain an interdependent Empire with her own traditions and habits, and the League would get on without the British Empire as it has got on without the United States.

As soon, however, as you look at existing problems and policies, you will see that the two are not only similar in structure but interdependent in action. The situation of the British Commonwealth in the world has been completely changed as a result of the War, or rather the War has brought to a head changes which were beginning to operate in the

last years of the nineteenth century and the early years of the twentieth.

What were the traditional policies of the British Empire? They were four in number. The first was the independence of the Low Countries. It was an axiom of British policy to prevent the Low Countries from falling under the domination of a Power in the hinterland. Secondly there was the maintenance of the balance of power in Europe, to prevent any Power on the Continent from becoming supreme and therefore placing us at a disadvantage. In that cause we fought many wars—against Philip II, Louis XIV, Napoleon, and William II—and even before Napoleon arose we declared war against the Government which resulted from the French Revolution on the question of Antwerp. The question of the Low Countries and of the balance of power in Europe are closely associated. Thirdly, naval supremacy. Our naval supremacy from the time of the Armada extended throughout what were called the Narrow Seas, in which for centuries we claimed exclusive dominion, so that foreign vessels sailing up the Channel had to salute a British ship. That supremacy we extended to the Mediterranean in the eighteenth century, and from Trafalgar until the United States' building programme under President Wilson we had complete naval supremacy in all the oceans of the world. Our policy throughout the nineteenth century and up to 1914 was to build sufficient ships to withstand any possible combination against us, generally on what we called a three-power standard—equal to the fleets of any other three Powers. That is perhaps the greatest power that has ever been exercised in the world. It was exercised silently; if exercised in any other way it might have produced a coalition against us. One of the greatest tributes to British statesmanship is that that power

was exercised from 1806 down to the Great War without exciting prejudice or causing a hostile combination against us, even at such a time as the South African War, when we were very unpopular. The fourth policy was that of the open door, of free trade and other means for the extension of markets for British goods, Britain being the premier manufacturing country of the world, the first to benefit by the inventions of the nineteenth century and by the effective use of her coalfields and other natural resources.

Turning to the post-War world, you will see how radically conditions have been changed. There are five new factors in the post-War world. First I would put air power. Air power has completely altered our strategical situation and our relationship to the Low Countries and to the continent of Europe as a whole. We are no longer an island; we are as much exposed to-day in London as Nancy or any other town in Eastern France was before the War. Indeed, it has even been stated that London, with the Thames as a signpost, is the most exposed capital in Europe. Our old security is gone, with very important bearings on our foreign policy. Secondly, we have lost our naval supremacy. We have exchanged our supremacy for an equality. What that equality means in the different oceans of the world we need not argue; but at any rate it creates an entirely new situation, with the result that we must think out our foreign policy afresh. Thirdly, we have lost our commercial supremacy; we are no longer the premier manufacturing country. We compete with States which have far larger natural resources, far greater areas of territory, and therefore a far larger population, and sometimes more efficient machinery and methods and organization; and we must also remember that coal, on which our supremacy was originally based, no

longer holds so exclusive a position in the world of industry as it did a generation or so ago. Fourthly, we have lost our central position in the Empire. British foreign policy used to be based on the interests of Great Britain. Sometimes we consulted the Dominions, sometimes we did not, but at any rate their views were of relatively minor importance. Sometimes we made them a small concession in the Pacific or elsewhere, when Australia or New Zealand had some particular wish; but on the whole, the main line of foreign policy was a London line, and the Foreign Secretary and the ambassadors who worked under him thought in terms of the interests of Great Britain. All of those four reasons, to my mind, make membership of a larger organization necessary, because all of them—air power, loss of naval supremacy, the loss of commercial supremacy, and the loss of central control in London over the policy of the Empire—set in motion forces which we need to influence in some way through membership in a larger organization.

There is a fifth change, and a very happy one. Even if ideas of international organization had been in vogue before 1914, which they were not, it would have been impossible for Great Britain to abandon the policy of the balance of power and to enter an international society. Why? Because the international society that existed before the war was based upon the principle of autocracy. Who summoned the Hague Conference? The Tzar of Russia. Who dominated the continent of Europe? The military Empire of Germany. It would have been impossible to sit in conference in a pre-War Geneva, because the ideals that animated the Powers which then would have had the dominating influence in any international assembly were not our ideals. There was a great gulf in thought and aspiration between the different States

which used to sit together at the international Congresses before the War. The time had not yet come when it was possible for Great Britain, with her political traditions and her special outlook, to enter into a system of co-operation with the other great Powers. The war has swept away that obstacle, because it has made Europe, broadly speaking, democratic. I am well aware of the exceptions to this statement; but the majority of the European peoples are democratic, and in particular the two leading Powers of the Continent, France and Germany, are now, as we believe, definitely democratic. Therefore regular co-operation between us and them is now at last possible, and we are faced with the problem of adjusting to a new and more happily governed Europe the conception of a balance of power which we have inherited from an age when Europe was organized very differently.

Interest, then, as I think, leads us into the League. What interest? Well, there are two main interests which we have in common with the League. The first is peace. Peace is the leading British interest, not merely on ideal grounds, because we hate war and know the horrors of war—that is a ground common to all nations; it is a leading British interest also on commercial grounds, because any disturbance in any part of the world is inimical to trade, and as we have found it impossible to organize effective economic co-operation within the limits of the British Empire, it follows that we should throw ourselves with all our might into efforts to organize international economic co-operation, and institutions of world economic activity, within the framework of the League. It is therefore not surprising that the British delegates took a prominent part in the Economic Conference, and are active in the work of the International Chamber of Commerce.

Peace is indeed our leading interest, but we have not yet

learnt to adjust our British ideas of peace with League ideas of peace, and particularly with Continental ideas of peace. We have indeed very frequently in European history thrown the weight of British diplomacy on the side of peace, but we have not hitherto favoured, as we might have done, the organization of institutions of peace, such as courts and systems of arbitration. Our tradition of isolation and of independence, and our distrust of the Continent, have made us suspicious of international law and of what we consider foreign law courts. The Hague is no more foreign to us than it is foreign to France or to Germany; but our insular tradition has made us suspicious of majority decisions which might have interfered with our naval power, and it has therefore made us backward in the field of international juridical organization. I frankly admit—and I need not be afraid in speaking to the Americans present, because they are equally backward—that we are at present conspicuously backward in our attitude towards compulsory systems of peaceful settlement; so that the world witnesses the curious paradox that we are guarantors under the Locarno Treaties for a system under which France and Germany and Belgium agree to refrain for ever from war on the Rhine, while we, who, together with Italy, guarantee that local system of all-in arbitration, steadfastly refuse to conclude any all-in treaties of arbitration ourselves. However, I think that that is merely a matter of passing prejudice, of the survival of old-time habits of distrust based on bygone conditions, and no doubt in due course—I do not know whether it will be years or decades—our practice in respect of the organization of peace will come to conform more fully not merely with our interests but with our deeper aspirations.

There are two other great policies on which I think

Britain and the League should work together. I cannot go into them in detail, but I will mention them in passing. The first is the problem of race. The British Empire is not a white Empire; it is predominantly a non-white Empire, and God forbid that it should ever become a white Empire or an Empire formally based on white supremacy. The greatest danger of war in the world undoubtedly lies in what is popularly called the race problem ; wrongly so called, in my opinion, because the problem arises rather out of economic circumstances than out of natural racial prejudice or animosity. It arises out of the fact that half the population of the globe is concentrated in South-Eastern Asia, and that the white people, who invented gunpowder, have occupied the greater part of the habitable area of the globe. That has created a terrible problem, but it is primarily an economic problem. It is not for me to suggest solutions. It is a very happy augury that the peoples round the Pacific have created a private centre of discussion at Honolulu, where citizens of all the lands round the Pacific can come together at regular intervals to analyse their common problems—problems that involve the greatest danger of war in the world—and to seek technical solutions; for there is not one solution, there are dozens of ways in which the problem can be handled and alleviated.

The British Empire, being a world Empire, and an Empire in which every race and every colour is represented, has a peculiar responsibility for dealing with the race problem. If it can succeed in maintaining these different races within one Commonwealth, with a due sense of dignity and equality; above all, if it can succeed in solving the problem of India, which is at bottom psychological rather than strictly political, then I think there is every hope that the race problem will

also be solved within the wider framework of the League. Let me add that I think that it would be a very happy thing if the phrase which was omitted from the Preamble of the Covenant in 1919, laying down the principle of equality of race, were to be solemnly reinserted through the action of the British Commonwealth and on the initiative of the delegation of India. I have made that suggestion in print, and I repeat it here.

The other matter on which we have a lead to give is the problem of nationality. The world has been poisoned in the nineteenth century by the theory of the nation-state, the doctrine that each nation needs its own political organization or state. A State is simply an area in which a certain authority organizes justice and liberty, and the persons within that area should enjoy justice and liberty irrespective of their language, irrespective of the colour of their skin, irrespective of their religion. That is an elementary political doctrine which I think could be traced back to British common law, and it is a doctrine which has been worked out in the British Empire in such a way that out of five Dominions three are officially bi-lingual. It makes no difference whether one of His Majesty's subjects in Canada, as a result of his tradition and history, speaks French or speaks English; he has equal rights and equal responsibilities. That is why we have been able to co-operate so effectively in the British Empire, because political values have been assigned their proper place. But through the influence of Mazzini and other European thinkers, nineteenth-century Europe drifted into the habit of thinking that political organization should be national, and that all the people who live within a given area should have a particular quality of mind, a particular language, and a particular outlook. As a result an effort has

been made to box up all the Germans in Germany, all the Italians in Italy, all the Bulgarians in Bulgaria, all the Poles in Poland, and that led to an utterly false way of thinking, and has given rise to what is wrongly called the problem of minorities, but what is, in fact, simply the problem of securing to each individual, irrespective of his origin, his elementary rights of justice and liberty in the various European States. In respect, then, of the theory of nationality, of the relationship between nationality and government, the British Empire has much to teach to the world, and incidentally to the League; and as we have the pleasure of having a Canadian Chairman, I may add that in the British Empire Canada has perhaps solved the problem more happily, and is more of an example to Europe, than any other community. When one talks to persons from Eastern Europe about the Canadian situation, and explains that no French Canadian thinks of himself as a member of a minority, one realizes how far the British conception of nationality has advanced beyond that which is still current on the Continent.

Now, in the few moments that remain to me I should like to mention a few other points on which Great Britain has a contribution to make to the League. Firstly, sea power. The League is an organization for the maintenance of peace. It needs force behind its decisions. Article 16 of the Covenant definitely provides for the use of force in certain contingencies. Were the League deprived not only, as it is at present, of the membership of one of the chief sea Powers of the world but of both, its writ could not run. British sea power is indispensable to the functioning of the League not as an organization for the transmission of ideas and opinions, but as an effective organization for the maintenance of peace. Remember that military power—the lesson of the blockade

proves it—is nothing to-day as compared with sea power. Ludendorff may have forgotten that soldiers needed boots, and that in order to provide boots it is necessary to keep open communications with the countries which produce hide and tanning materials. The peoples of the Continent may hitherto have put too much trust in military power, but the blockade has taught them that the Powers that control the roads from the raw material to the factory, and from the field where the foodstuffs are grown, to centres of population where they are consumed, really exercise the physical force of the world, British sea power has so far been well used, sometimes for purely British ends, sometimes, as in the suppression of the slave trade, for international ends. Now that Britain is the chief naval Power in the League of Nations, the international function of the British Navy, implied during the last four centuries, becomes more clearly defined and recognized.

Secondly, the political experience of Britain has been invaluable in the building up of the organization which is at home in these premises. We British are justly proud of the fact that those who drew up the Covenant of the League in Paris added an Annex, Annex II, in which they inserted the name of a British citizen, a tried British administrator. to be the first Secretary-General of the League and the builder of its organization. As a result the influence of British administrative methods has been largely felt in the development of the Secretariat, just as the influence of French administrative methods has been largely felt in the development of the International Labour Office. All that has not yet been put into books, and it is a very subtle matter of analysis, because many other influences no doubt have entered in.

It is indeed one of the most interesting studies in inter-

national relations to watch the penetration of national modes of thought into the international milieu. But as we are discussing the relations of the League and the British Empire, the fact that the first Secretary-General is an Englishman trained in Whitehall is a matter which should be put on record.

Thirdly, Britain is helping the League to make the very difficult adjustment between power and law. Our British tradition is frankly political and not legal. We do not like international law. From the days of Selden's controversy with Grotius we have suspected it. The Continent, on the other hand, and also South America, are devoted to legal and juridical habits of thought. Thus what is happening in Geneva all the time is an adjustment between the common-sense, happy-go-lucky, voluntary, on the whole benevolent methods which are traditional in Great Britain and the stiffer, more legalistic, and, if you like, more correct methods of the Continent. Continentals naturally say that if you have an international political organization, it has got to be organized; they look into the books to see how it should be organized, and work out rules for the development of a logical system. But if that logical system has behind it no element of power and no element of experience, it will not work. There are manifest defects in the Continental theory; there are equally manifest defects in the British practice; but what we are witnessing is a process of adjustment between the two, in which each side is learning to appreciate the virtues and also to be more patient with the limitations of the other; and as it happens that the British Empire is the greatest of the great Powers in the League, it often falls to Great Britain to play the rather disagreeable part of representing the element of power, as it falls to other elements in the League to

represent the element of law. The adjustment may sometimes seem slow, but it is certainly proceeding surely and steadily.

Lastly, having presented Britain in the rôle of power, I must not fail to present her also in the rôle of idealist. There is a very fine British ethical and humanitarian tradition in foreign policy, a tradition represented, for instance, by our working out of the theory of trusteeship in Colonial Government, by our suppression of slavery, and by our interest in other humanitarian causes, by the force that we put behind the social welfare section, and other matters of the same kind. That is a humanitarian tradition, sometimes a missionary tradition, which we have developed in isolation when we liked, how we liked, and where we liked. We have often acted wrongly in one part of the world, and very rightly and nobly in another part of the world; but, on the whole, the tradition which we bring into the League in that field is a very fine one, and is undoubtedly a great contribution to its general life.

I have covered a good deal of ground, but I hope not too much; because, without being boastful, I want to convince you that the British Commonwealth does represent a new type of organization far better adapted to the problems of the post-War world than the older constitutions written on paper, and capable, in a unique way, both of helping the League from inside to solve the most pressing of the problems with which it is confronted, and also of doing pioneering work of its own in preparing public opinion in the British Commonwealth and outside it, in finding appropriate solutions under the British flag for problems with which the League will have to deal in a later generation. In those two fields I think we have already played a big part, and have a still greater part to play.

CHAPTER XVI

THE RISE OF NATIONALISM IN THE EAST

Mr. H. N. Brailsford:

NATIONALISM is a word which one uses with more or less sympathy according to the time and the circumstances. One uses it indeed, rather as one uses childishness, to describe a state of mind which one expects to find at a certain period of development. In discussing Eastern nationalism it may be well at the outset to distinguish certain aspects of every kind of nationalism, and then to consider how far this Eastern variety differs from those which we know in the West.

Nationalism has first of all its political meaning. It is an accompaniment of democracy. It comes as a leveller, raising the depressed classes and, it may be, depressing the privileged classes. It is bound up with the claim of all the people inhabiting a certain territory, or of all the people who inherit a certain historical tradition to share in the government of that territory, and to be considered, whenever that people moves and acts in the world as a whole. In that sense, nationalism, though it may and must be widened, if any international society is to become a reality in the world, is a permanent thing in human life.

Then one may distinguish the cultural aspects of nationalism, the devotion to what is peculiar and individual in the literary and artistic tradition of a people. It sings in its poetry; it moves in its dances.

Lastly we imply, whenever we consider nationalism as active in the world, that there is some element of opposition.

It grows strong either in revolt against some foreign conqueror, or in conflict with the impinging forces of other peoples from without.

In the East nationalism was barely known until our day; but one may go farther; one may say that politics, as we have used the word in the West from the days of the Reformation, are unknown, or rather were unknown, in the East. Asia was, until the other day, a non-political continent. It lived in a certain passivity and quietism, contemplating the infinite, grateful to any ruler, whether native or foreign, who would relieve it of the troublesome task of organizing the mundane affairs which it despised. Very naturally, social life on a large scale was organized in the East, and had its centre, not in the nation but in the religious community.

That a man was a Buddhist or a Mohammedan or belonged to one of the Eastern Christian Churches—that was the inner meaning that gave tone to his social life; that placed him among his fellows. Indeed, in the part of the East that I have known best—Turkey—nationality, when I began my journeys, had only one meaning: the religious community into which a man was baptized or circumcised. It had nothing to do with race or language. A man might call himself a Greek who spoke Bulgarian or even Turkish, and the various nationalities in their propaganda would bewilder you by telling you that there were Bulgaraphone Greeks or Turkophone Greeks, none of whom could speak a word of the language of the nationality to which they were supposed to belong.

Nationality in the early, native sense of the word overstepped race; indeed, it ignored it. It also had the effect, wherever its primitive faith was unbroken, of forbidding and preventing the rise of nationalism. When people are split

up, as the people of India are split up, into Hindus and Mohammedans, to say nothing of smaller communities, the rise of nationalism in the Western sense of the word was almost impossible.

Until its contact with the West, the East had no conception of secular law. It did not believe in man-made law, but in the codes given at Sinai, or spoken by the Angel Gabriel to the Prophet. It believed, in short, in Canon law, and its primitive administration was always by the Bishop, the Cadi, or the Rabbi, who applied the God-given law of the community to which he belonged.

Nor had you in the East even such an approach to a national army as existed in Europe in the form of a feudal militia. At the most you had in place of any national army a praetorian guard of Janissaries or Mamelukes. We start then in a non-political continent, which has organized its life under theocracy, without a trace of the secular State or of secular law.

Into this non-political continent the West burst with its trade and its armaments, and by its impact it created nationalism. It began by creating the secular State. The State, as it was understood, let us say, in the early days of the East India Company, might never have aroused the spirit of nationalism; it was still what the old native States had been—an organization for police and for defence. But, as we come to modern times, the broadening of the conception of the State which has been the salient fact in the modern history of Europe during the past two generations, went on, though rather more slowly, and much less adequately, in the East.

The West, in other words, brought with it a conception of the State which was to be a co-operative organization which, to a certain extent, charged itself with the education of the

people, with the encouragement of trade, with the fostering of agriculture, with the maintenance of health, and with all manner of social services outside the old conception of defence and police. The first step in the creation of Eastern nationalism, therefore, was the coming of this Western conception of the secular and co-operative State, in which infallibly any man who had a sense for the welfare of his fellows, or a sense even of his own interests, or his own self-respect, must wish to take part. One may very well leave it to the Grand Mogul to defend the frontiers of India or even to repress risings and brigandage, but one could not very well leave it to a foreign conqueror to take sole charge of education and these social services.

In the second place, the West, coming with its trade and its gunboats, brought with it also economic imperialism. You will find, I think, if you go back to the history of Indian nationalism and its organization in what is known as the Indian Congress movement, that contemporary with the demand for some form of Home Rule, there sprang up the organized criticism by the intellectual classes in India of British economic imperialism. There was gradually worked out a calculation, in which the tribute that India paid to her conqueror—the indirect tribute in interest, in salaries of officials, in privileges to railways, banks and the like—was estimated out with a good deal of exactitude.

Lastly the West, in India and elsewhere throughout Asia, has created nationalism by erecting its colour bar. There our position has been unlike that of any of the earlier conquerors. Mohammedan conquests might sweep over Hindu India and make no social rift comparable to the division between the White conqueror and the Indian native. It was an unbridgeable barrier. We talk of the Christian religion

as a universal Church, and yet no man in India is baptized into the fraternity of the White conquerors. Again, we think of science, literature and the arts as a liberal and universal education, but no Indian ever graduates into White society. There we have differed from other conquerors. I have watched Turkish regiments officered by negro officers; the White men in the ranks obeyed the orders of a real ebony, thick-lipped African without any sense that they were degraded thereby, simply because all of them were disciples of the same faith, belonged to the same Mohammedan culture, and looked up to the same Prophet. Christianity has brought no such discipline and no such liberation as that to the East.

With such origins, the inevitably Eastern nationalism has taken a course of development markedly different from Western nationalism.

Its first peculiarity, I think, is that it fights on a much wider front. If you think of the struggling nationalities in Europe, you will invariably find that they have been engaged in a duel. The Irish have had to struggle against the English; the Czechs against the Germans. Nowhere in Europe has there been any sense of such a wide opposition as inevitably comes to the Oriental. From the first, whether he thinks of colour, or of our ugly mechanical civilization, or of our profession of the Christian religion, as the distinguishing mark; by one or by all of these marks the Asiatic is fenced off, not merely from the Englishman, the Frenchman, or the Dutchman with whom he comes in contact, but from all Europeans. And, as if by some malign tactlessness, that sense of continental opposition has been fostered by the fact that from the days of the Crusades onwards, whenever we have attacked Asia, it has usually been our way to mass our

standards. It was all the ensigns of Europe which flung themselves on Palestine in the days of the Crusades, and once more in our own time the last Kaiser organized an international expedition to deal with the Boxer movement.

Even in the intervals between the armed assaults of one continent upon another, we maintained the sense of invasion by a peculiar institution called in some countries the Capitulations, and known to every one in the last few months by the Chinese name of the Unequal Treaties. It was an institution not originally offensive to the Asiatic mind; it fitted admirably in its origins into Eastern ways of thought. When the Genoese and the Venetians first began to trade with Turkey, they found no secular law in existence; every Church governed its own affairs under its own Bishops or Rabbis. Naturally, when these strange Latin Christians came among the Greek, Armenian, and Syrian Christians, the Grand Turk gave them somewhat similar arrangements, and authorized them also to set up their own courts to try their own peculiar business.

That was the origin of the Capitulations in Turkey. With certain variations from one country to another, this curious and ancient institution developed into the monstrous system against which the Chinese are now protesting. You may excuse it; you may argue that in the immaturity of a people, in the absence of any conception of the modern secular State, some institution of this kind is inevitable. That may be so, but the effect is equally inevitable. We bring to the East our own conception of nationalism and our own doctrine of the national, secular State. When we have drilled that into the minds of Eastern peoples, it is inevitable that they should react with a sense of humiliation and resentment, when they come to understand that these Consular Courts, these foreign-

drilled police in their towns, these gunboats which parade their rivers, are marks of our contempt for their continent and their race, and not, as they might have supposed, part of the normal institutions of European peoples, for we should no more dream of carrying institutions of that sort into any White community, than we should dream of introducing chattel slavery.

Note once more, however, the peculiarity. When the reaction comes, it is directed not merely against the Englishman, or the Frenchman, or the Dutchman, but against all the peoples of the West, who have claimed for themselves the advantages of these Capitulations and of this system of Consular Courts. Here again, you get the beginning of a sense of continental opposition.

I have watched it happening in a country which has now completely freed itself and thrown off the Capitulations—Turkey. The moment one brought oneself to view the system with the eyes of a Turk, one boiled with rage at the very conception. You might go along the main street beside the quay at Salonika in the old days when it was a Turkish town, and there would be the Russian and the Austrian Consulates, each of them with its stream of clients, one with Albanians and the other with Serbs, each lodging its complaints against the sovereign State on whose soil those Consulates stood. The Consul would show you the dossier of complaints brought to him by the various peoples who were his clients. Every non-Turkish race in Turkey had its protector: the only exceptions were the Jews; they had no great friend, and they were the only people who escaped massacre.

These institutions varied. In China every Englishman who moved over her soil carried the British Empire in his boots. In Turkey there was perpetual interference between the

ruling State and its subject minorities. But always these institutions led to an international opposition, a continental opposition. The Capitulations were enjoyed by every Western people, including the Americans. The end of it was, that when you count up these political humiliations, and add to them the social insult of the closed club, and the now notorious park at Shanghai, where, side by side, are notices excluding Chinamen and dogs, you have bred in the younger generation throughout Asia a sense that the white peoples are the common enemy.

To-day the revolt is spreading, until it opposes the best of our culture as well as the worst. It turns against our science no less than our insolence. You find to-day in India young men who have actually passed through our Universities, but who feel it to be a part of nationalism to revolt not merely against the British flag, but against Western science and Western conceptions of hygiene. Pasteur in the end is rejected because his skin was of the same colour as that of the conqueror Clive. Given this emotional opposition, based on a groundwork of economic exploitation, and whipped up perpetually by interventions and political assaults, the question arises whether, as happens so often in history, a common enmity can create a sense of union among the peoples who experience it.

In other words, can Asia unite? She has very few physical advantages. Asia has been opened up—note the significant word—not in her own interests, but in those of Western trade, by the Western Powers, who drove their railways up from the coast primarily as carriers for their own trade. Asiatic communications, with few exceptions, are not designed to unite the Asiatic peoples and centres, but rather to open the interior to the trade of the West. There is remarkably

little intercommunication between Asiatic peoples. If you go to Angora or to Stamboul, you may never encounter an Indian or a Chinaman in the streets; you will find few Asiatics other than a small number of Persians and other neighbours of Turkey. Commerce and banking throughout Asia are for the most part in the hands of foreign merchants and financiers, so that the normal method of unification which operates so powerfully in Europe is absent. In fact, if you talk to the educated classes in any Eastern country, you will soon discover that they know more about the politics and culture of Europe, than they do of the politics and culture of other Asiatic peoples, for the good reason that in very many cases they have received their education in the West. Even when one looks for a vehicle of intercommunication, there is no single *lingua franca*. Even the West has not brought one, for while English prevails in the Far East, French is more often the language of science and polite intercourse in Turkey, Persia, Syria, and Indo-China, while Dutch is used in the Dutch Possessions. Nor is there any traditional human link. The only one that exists is a divider rather than a unifier. There is still that rather pathetic relic of the Age of Faith, the Pilgrimage to Mecca, where the Indian may meet the Javanese: and Mussulmans from the interior of China unite with Persians, conveyed thither, probably, on a British ship and subject to European laws. Islam was potentially a tremendous unifying force, which abolishes race and kneads peoples together; but it also divides even more surely than it unites.

The other day I came across a record of a speech, delivered shortly before he died, by Sun-Yat-Sen, the founder of the Kuomintang and, one may say, of the Chinese nationalist movement. It was delivered in Japan, and the significant

thing is that talking to this foreign audience he boldly put forward the idea of Asiatic unity:

'Thirty years ago the Asiatic peoples believed that Europe, with its scientific and industrial progress, its highly developed weapons of war, and its strong armies, was so superior to enfeebled Asia that the later was doomed forever to be the slave of the West . . .'

Then he goes on to refer to the resurrection of Japan, to the Japanese victories over Russia, and to the growing movement for independence, which, he said, 'throughout Asia is daily growing stronger and stronger.' He goes on:

'When this desire has reached its full growth it will be time for the Asiatic peoples to unite, and then the success of their movement for independence is assured.'

We then come to a curious passage, singularly vague, singularly naïve, in which, after dealing with the moral basis of European culture, he sharply rejects it.

'What, after all, is the problem before us? It is the contrast of two civilizations, the Oriental and the Occidental. Oriental civilization emphasises benevolence and righteousness, Occidentalism utilitarianism and force. We Asiatics, in insisting upon Asiatic unity, and in resuming our powerful position in the world, must use benevolence, so that we may become a power to be reckoned with.'

Then quite suddenly he grows realistic: 'If we wish to regain our lost privileges we must resort to force;' and then he reminds his hearers that while there are in the world only 400 million Europeans, there are 900 million Asiatics. The climax of the speech is this :

'At the present time there is a new nation in Europe. This nation has been excluded by the whole white population of Europe, who regard it as a poisonous snake. Russia has now come to the parting of the ways with its white kinsmen. Naturally Russia must come to link hands with the Asiatics, and break her family ties with the West.'

So that the conclusion is a call for pan-Asiatic unity, for the union, as he puts it, of the 'oppressed peoples of Asia against the European oppressor', with Russia included in the league.

That speech was made by Sun-Yat-Sen long before the signs of Russian influence had become very noticeable from our Western angle of vision. Russian influence, operating, above all, but by no means solely in China, has carried the nationalist attitude very rapidly downwards among the masses. Nationalism is always, in its origins, whether in Europe or in Asia, a movement which takes its rise among the intelligentsia and the middle classes. It has its economic bearing on the life of the merchant community, a certain cultural bearing, and to a less extent on that of the professional classes. It moves only slowly downwards into the working masses of the populations. The effect of the Russian system, one might almost say, of Russian leadership in China, has been to drive those movements down with amazing rapidity, a rapidity which you can measure in months or at most in years, from the little intellectual class which was the original nucleus of the Kuomintang, right down into the working masses and even out into the villages. People talk about the services which Russia rendered to the Chinese revolution by lending or giving munitions and arms, or by sending Russian instructors to her armies. No doubt those were services, but a very much more important service was the technique which she taught the Chinese Nationalist Party in the handling of masses. It is that which has won or is winning the civil war for the South as against the North. It is that which has roused the working masses of the towns and eventually even the peoples of the villages to the standard of what was originally simply a little group of intellectuals. At an amaz-

ingly rapid pace it has begun to make a nation in the full, democratic, Western sense of the word. European imperialism has made this work extraordinarily easy for the Kuomintang and its Russian advisers. It has left lying about, wherever the new industrial system has been introduced, arguments for a revolution so sharp, so compelling, that one wonders what even a Russian agitator can find to do. There is no scope for his talent: all he need do is to tell the truth. What need you say? That the Chinese children are employed in the mills of Shanghai for 12 hours a day at 2*d.* a week. What more need you say? Even the Russian imagination could invent nothing more telling than that fact; and if you go on to talk of the use of human beings as beasts of burden to draw the carriages in the streets, and the drays along the docks, again, what more need you say? There is no need for malice or embroidery. You have there the facts of a misery without parallel anywhere on the globe.

We leave those explosives lying about in our own territories also, awaiting the exploring hand of Moscow. I was reading the other day an extremely readable report on the jute industry in Bengal by the Member of Parliament for Dundee, Thomas Johnston. He began by giving a financial analysis. He took a period of ten years ending in 1926, and he showed that during those ten years the average profit—meaning by profit, dividends and bonuses taken together—was 90 per cent. on the capital—that is 90 per cent. per annum. He then went into the wages of the workers. The average wage of the workers in those mills—there are about seventy-nine mills which handle two-thirds of the world's jute crop in Bengal—was £12 10*s.* per annum. One may then work out one's own calculation. The work of each operative resulted every year in a profit of £100 which went to the European

investor, and a wage of £12 10*s*. which went to the Bengali's family.

You may say it is an exceptional case. It is a very exceptional case. Those Bengali operatives are enjoying wealth by Indian standards, for the official calculation is that the average family income in India per head is about £4, as compared with that £12 10*s*. If you are curious about the condition of the peasants, you may gather it from the fact that these operatives flock into the mills of Bengal, in order to escape still worse conditions in the villages.

But to return to China. You may ask whether, after all, these facts about the mills in Shanghai and other industrial facts can matter very much in a peasant country like China. We were all taught to believe that it was a peasant country in the proper sense of the word—a country in which the cultivators owned their soil. I believe that was the case a generation ago; but in the maritime provinces, and to a certain distance up the Yangtse, in those parts of China which have been most in touch with foreign influence, an immense social change has come about during the last generation. This Chinese cultivator never at any time, or at any time within the records of history, had been able to rely on the produce of his soil for a livelihood. The soil was overdivided; the population was too dense, and almost always the Chinese peasant had to rely on the handicraft of himself, or of his women, to make good the family income. The impact of the West very promptly began to change all that. You cannot pour in your cheap cottons, your cheap hardware, or your other machine-made goods from the West, which may ultimately be of benefit, without lowering prices disastrously from the point of view of the handicraftsman. There follows a period of struggle, and eventually there comes a time when

in the distant village it is no longer worth while for the wife to ply the loom on winter evenings, or for the farmer himself to carry on his secondary trade of tinker or potter. The imported Western goods have knocked him out of the market. The coming of our industrial system, therefore, began to make a tremendous social change. At the same time, there grew up a Chinese merchant class which was thriving on this large-scale importation. It was reinforced in the disturbed period of the last fifteen years, by officials who have found justice remunerative, and soldiers who have found that the trade of arms pays. These have become investors, and they prefer as the safest investment, land-ownership. By lending on mortgages and foreclosing, the new bourgeoisie has rapidly become a landed class. It has no traditions. It regards the soil solely as an investment. I have had facts put before me which seemed so improbable, that I probed them as carefully as I could. The system now prevalent, where this new landlordism has come in, is métayage: all the produce of the farm is divided between the cultivator and the landlord. The proportion, of course, varies considerably. It appears to be commonly as high as from 60 per cent. to 70 per cent. in favour of the landlord, and I even found cases where the landlord claimed and snatched as high a proportion of the produce as 80 per cent. One ceases to wonder at the success of the revolutionary movement even among the peasantry. Nationalism, beginning as the intellectual revolt of the educated classes, has, under Russian influence, gradually forced its way down, and taken on a new social meaning. It will be a permanent force in China; it must mean struggle. It may take years or generations before these monstrous social conditions are altered. It may seem at the moment that Russian influence is waning; the mistakes which the

Communist International always commits may have been rather grosser than usual in China. But it is inevitable, it is part of the legible page of history, that any influence which will work against such conditions as these must, in the absence of any rival influence making in the same direction, win the leadership of people suffering as these Chinese workers and peasants are suffering. You read in the news that such and such a War Lord has sent such and such a general touring through the provinces to refute Communism, with twelve executioners and a well-armed bodyguard of two hundred arguments. I know that. But the real rebel is the misery of the people. Will twelve executioners suffice to hold up the head of that rebel to the people? It will survive. What we are doing by throwing our influence and our prestige on the side of the War Lords in the North, what we did in the beginning when we answered those protests against misery by our machine-guns and our rifles, is this, that thanks to our want of fraternity, because we chose to consider China as a market and nothing else—we have come to be regarded as the enemy of the Chinese nation. Is there one of our Ministers, from the Prime Minister downwards, who has omitted to justify our doings in China by the argument: 'Our one object in China is to trade?' Precisely. Our one object in China was to trade, and therefore it is that Russia, who has treated these people as fellow human beings, has won the leadership among them. As long as these conditions continue, Russia will be something very much more in the East than a geographical expression. Russia will be the name for the tendency of human misery to seek redress, and while that tendency works, while the misery exists, while there is life in the people to protest, it is inevitable that, in some form, that league of oppressed nations of which Sun-Yat-Sen spoke,

will exist at least in the hearts of these nations, and that Russia will be its member or its leader.

I have seen this Chinese Question from the Russian angle during a recent visit to Moscow. It has an aspect very interesting also from the Russian standpoint. I felt all the time as though I had gone back something like a century and a generation, to the times of the French Revolution. I doubt if ever since that time there has been such an extraordinary sense of massive fraternity between two peoples, as there is to-day between the Russians and the Chinese. It has meant for Russia the end of the isolation in which she had been living for ten years. She sees herself the potential leader of the greatest single mass of human beings in the world. Add your Russian and your Chinese populations, and you have something like a quarter of the human race. It is spread over a single continental area which gives the maximum opportunity for united action. In point of fact, the idea that any line on the map makes a division between Europe and Asia, is an ingenious invention of the geographer. There is no frontier. There are the same wide plains, the same climatic conditions, and a history which has united the two peoples—invasions sweeping over from the Tartar side, colonization replying from the Russian side—and never, I think, in Russian literature has even an eccentric poet talked the kind of nonsense, which with us, has become classical. I doubt if you could translate 'East is East and West is West' into Russian. The Russians, in other words, especially the Russians of to-day, have no sense that Asia is a mystery. They burst into it in their crude way with a key in their hands. Their key is the naïve belief that every worker is their brother; that key will open doors. Where we see mystery, where we see different colours of skins, where we believe that the holy of

holies is impenetrable, they have simply walked in with this sense of the fraternity that should unite workers, and they have been received and understood. Go to Moscow, and you will find the big University that I visited, a University with six hundred Chinese students, not only learning Russian but thinking Russian. They are received as I fear no Chinese or Indian student ever is received in England or in any other country of the West. The day I was there, the University was rejoicing because two of the Chinese students had been elected to the Moscow Soviet—the sort of thing that used to happen in Paris when Tom Paine was elected to the Convention.

The Chinese Revolution is an emotional stimulus also, which really means something for the hearts and minds even of the common people. They follow these bewildering details of the civil war, even the strategical details, with amazing intelligence. I have seen and talked to peasants and workers sitting in their sheepskins in a fourth-class carriage on the railway conning the details on the maps of the battles in the Civil War, and they were enormously intrigued, enormously interested, following the whole thing with the greatest intelligence. I happened to be in Moscow when Shanghai fell, when the Southern troops entered Shanghai, and the whole city gave itself up to rejoicing as though it had been a Russian victory. Late in the night crowds paraded the streets, singing as they went. I happened to go that evening to an orchestral concert in which their wonderful leaderless orchestra, the orchestra that plays without a conductor, was performing the Ninth Symphony. At the beginning of the performance one of the players came forward and asked the permission of the audience to send on behalf of orchestra and audience a telegram of congratulation to Shanghai. I think that that was

in the spirit of Beethoven. In the Choral Symphony, and the Ode to Joy, the spirit of the revolutionary time from which it sprang, was reincarnated more faithfully, perhaps, on that evening in Moscow than it had ever been for a hundred years. I found myself asking whether, in all the concerts that were held that night throughout Europe and America, any one else had thought of sending a telegram of congratulation to the people of Shanghai on their delivery from a tyrant.

The West has to choose its course in its dealings with the East. Either we subject our imperialism to a liberal education, either we bring it under international discipline, or infallibly Asia, on the programme of Sun-Yat-Sen, perhaps very much as Russia is realizing it, will unite. Asiatic nationalism will transform itself, as it is rapidly transforming itself every day, into a continental movement. When that happens, there will exist in this immense Northern space the most powerful human magnet that the world has known since Sinbad discovered the mountain of Lodestone. That magnet will have an attractive force upon other Asiatic peoples; and some empires may feel its attraction and dissolve.

SECTION IV

THE GENERAL PROBLEM

CHAPTER XVII

NATIONALISM AND INTERNATIONALISM:

The Education of Public Opinion

Mr. Delisle Burns:

THE problem to be considered here is the control of forces which tend towards war. It would be foolish to deny that such forces exist or to underrate their strength, although the League of Nations and the various movements associated with it may prove in the end to be successful. But peace is by no means secure. Of the opposing tendencies, towards peace and towards war, it is not at present clear which is the stronger; still less is it clear which is likely to be dominant in a crisis.

Nationalism is usually regarded as a disturbing force and Internationalism as its corrective; for the hostile feelings which have led to recent wars have been said to arise from the distrust or fear of foreigners. And even if wars have been fought for other reasons, economic, strategic, or irredentist, it has obviously been easy to rouse and to use for war the pride in one's own nation and the distrust of other nations which is usually called Nationalism. There is a political doctrine sometimes called Nationalism—namely the doctrine that the form of government in any area should be based upon the language and tradition of the people of that area. There is a cultural policy also called Nationalism, where a linguistic or cultural group claims independence for its

schools or religious associations. And there is economic Nationalism, where the customs and standards of life in any group are maintained by tariffs or by subsidies against foreign goods. But underlying all these forms of Nationalism are *psychological factors* which it is proposed to discuss here. The basic factors in politics, economics and culture are psychological. Tendencies in any group of men are inherited or acquired in and through their mental acts and attitudes, whatever the influences of material circumstances or bodily structure. We may analyse, therefore, the mental acts and attitudes which in the world of politics, economics and culture appear as various forms of Nationalism; we may ask why, for example, men prefer native to foreign tyrants, choose bad homespun instead of good foreign textiles or maintain a local dialect with few words rather than acquire a full and subtle language not their own. Of course in one sense the answer is easy. 'A poor thing but my own' expresses a natural tendency. To give a psychological answer is not to deny the correctness of such answers as anyone could give by the use of common sense. But perhaps further analysis of well-known facts may reveal methods by which we may control such tendencies as make for war.

For many years now the learned world has admitted that psychology may be used to explain some political and economic problems. Innumerable essays in political psychology already exist; but the earlier psychology was a little crude, even in its analysis of superficial sensations in any man, and it was hopelessly vague when applied to the mental or emotional lives of groups of men. Fortunately psychology itself has advanced. Abnormal psychology, as it is called, has illuminated very greatly even the normal life of an individual, and its use for the understanding of group life is now begin-

ning to be acknowledged. We understand now, much better than our grandfathers did, the peculiarities of lunatics. I hesitate even to imply that we may thus have discovered some truths about politicians; but it has often been remarked that politicians, like lunatics, are peculiar in their inability to see the force of any arguments but their own. In any case, I make no charges: nor do I intend to disparage lunatics, since psychology has made us suspect that we are all of us at times somehow slightly mad. The value of the new psychology lies in its perception that what a man does when he is 'not thinking' is more significant of his character than are his deliberate acts. It is a crisis which shows the characteristics of Nationalism: and it is the half-conscious assumptions and dim feelings of life in a community, not the clear statement of policy, which show us what we have to deal with when we make peace or war. For such reasons as these abnormal psychology may prove to be useful in understanding Nationalism and Internationalism. Our problem of control is not simply how to counteract deliberate designs but rather how to transform underlying, half-conscious tendencies; and unless we recognize the character of such tendencies, we shall probably fail to maintain peace, however excellent our carefully considered programmes may be. A 'Locarno' Treaty is insecure if psychological tendencies towards war continue to grow under the surface; and such tendencies may hardly be recognized by the very persons who, in a crisis, may be swept away by them.

Some of the customs and attitudes which go to the making of Nationalism are simple, natural and inevitable. They belong to the original make-up or structure of the human mind. Like the desire for food, they cannot be eradicated, nor greatly changed, so long as men live in groups; and all

men live in groups, since everyone has parents. But some of the emotions and attitudes in the existing forms of Nationalism are by no means simple and natural. The truth is that actual Nationalism is a composite. It is at least partly the result of creative imagination and is 'artificial' in the sense in which a machine or a work of art is artificial. The particular form it takes in any group is not, therefore, to be explained only by reference to instincts or native tendencies, but reference must also be made to the peculiar abilities of leaders or politicians who give the native tendencies the form we observe. Psychologists have been somewhat naïve in this matter. They have assumed a naturalistic fatalism. They suggest, even if they do not actually assert, that the existing forms of Nationalism are natural and inevitable—that instincts of pugnacity or emotions of fear are sufficient explanations for wars and political conservatism. Indeed, if one believed some psychologists, the whole of group life would seem to be an uncontrollable current which sweeps the individual along into political controversies and international conflicts. It is ungracious to criticize those who have undoubtedly contributed something to our own understanding of life: but with allowance for some excellent suggestions, one must enter a plea against Trotter's 'Herd Instinct'. Even during a great war psychology should not 'prove' that one belligerent has bad habits and the other good, still less that neither side can help itself or that most men must inevitably believe what politicians—and psychologists—wish them to believe. Again, McDougall's view of Patriotism is somewhat too simple. His explanation of the 'group-mind' suffers from the fatalistic assumptions of physical science. And as for Freud and Jung and Adler and Steckel and their followers, the application of their methods and conclusions would

reduce political psychology to pathology. From all these we can derive some light on Nationalism, Internationalism and the education of public opinion; but only if we use corrective criticism in reference to actual facts of our own experience. And the main element in our critical attitude must be the assumption that not only natural forces but also human desires and purposes and the imaginations of individual journalists, politicians, teachers, and preachers, have gone to the making of existing psychological factors in political and economic life.

This assumption—that psychological tendencies are malleable—is indeed the only possible excuse for our discussion here. For if the existing forms of Nationalism, for example, were indeed inevitable, we should simply have to hold up our hands and let affairs take their course, as any old colonel may who believes that 'war is inevitable' or that 'human nature never changes'. On the contrary, wars arising from Nationalism are due to the desires and purposes of certain individuals, which are by no means natural or inevitable. Man and not Nature has made the existing forms of patriotism and national pride. Psychologists, trained in the physical sciences, are often very innocent in regard to social phenomena: they take the language of politicians at its face value, and they are generally prone to be reactionaries by temperament. But psychological and, still more, social factors are very different from the factors studied in mathematics and physical science. The forces we are studying are such as those that made modern Greece and the Balkan States in the middle of the last century, or those that united Italy and Germany in the later years of that century. Similar forces brought the Republic of Finland and the Baltic States into existence at the close of the great War: such forces were the material for the

creation of modern Poland and Czechoslovakia, and they are at work now in Turkey, Egypt, China and India. The historical facts will be assumed to be known. The existing controversies of politics and economic life should be in our minds. Rivalries of armed forces, tariff barriers, grievances and claims —these are the facts with which practical policy has to deal. Among these we find the present tendencies towards war or towards peace: and it is because of the conflict of tendencies that we are now considering what we ourselves can do. But our present problem is not the formation of a political programme or an economic policy; it is the control of the deeper tendencies revealed in a psychological analysis.

For the purpose of such analysis we must allow for two distinct characteristics in Nationalism, as we see it, for example, in Italy or China: first there is the mass of natural tendencies which most psychologists confusedly refer to instincts and their accompanying primitive emotions; and secondly there is the traceable work of persons—Mazzini and Bismarck, Sun Yat Sen and various contemporary artists, of very different qualities—such as Masaryk and Stresemann and Pilsudski and Briand and Chamberlain. I do not propose to ask how far it is inevitable that we should have these artists and not others; for I am not discussing metaphysics. I accept the gifts of the gods. But I seem to see, in the existing movement of new nations and old, two interesting problems. First, how far can the given material in any group make a good Nation? Secondly, how skilful is the actual artist? I can well imagine that the 'stuff' of tradition, language, common life and hopes, in some group may be not good enough to make a great work of art as a Nation. The group may be small and its members may be too incoherent, with fantastic ideas and different irreconcilable desires. No

statesman, however great, could make anything but a mean form of Nationalism out of some contemporary groups. It would be impolitic to cite examples: but it should be understood that I do not accept *any* Nationalism as good in itself simply because it exists. I cannot lay down rules for all time: and I do not pretend to say that greater skill in the artist may not make a good figure out of bad clay. It used to be said that one cannot make a silk purse out of a sow's ear: but our grandmothers did not know 'artificial silk'. Perhaps sows' ears may prove useful. The material in any case must make some difference to the character of the work of art, and the material in politics and economic policy is the mass of psychological tendencies which make up group life.

On the other hand, given the material, the skill of one artist is greater than that of another. There have been great failures in history: for example, modern Italy is partly the work of Mazzini and no one has had nobler conceptions than he. But was he sufficiently skilful? Did he give the material the form he desired? Was the form he desired even possible in that material? In the history of Nationalism bad artists have wasted good material and sometimes bad material has been made to work wonders in the hands of a good artist. The problems of contemporary Nationalism are the same; but a criticism of contemporary artists in Nationalism would distract attention from the main point, which is that the existing forms of Nationalism are not inevitable. We may now analyse psychologically these forms in order to distinguish in them what is the material to be worked upon and what is the result of creative imagination.

The natural tendencies which go to the making of Nationalism include first, the instinctive attraction towards what is familiar. This may be what is called an associative or social

instinct: in any case it is like the sexual or maternal instinct or—if there is such a thing—the filial instinct. The attendant emotion is a quiet glow like that to be seen in the child when it nestles against its mother's breast, or like the satisfaction of a lover in the presence of the beloved, or even like the milder current in the contact of friends. Everyone knows the 'pull' of familiar places, with which we associate the poetry of the word 'home'; and far back in everyone's memory are certain persons who were familiar almost before one began to distinguish one's self from them. Hence all that vast area of emotional experience which William James so well described in his analysis of the words 'I' and 'mine'. One is a part of what is familiar; or it is part of one's self. From such dim and deep beginnings come patriotism and Nationalism. We are further down here than any interest or purpose or plan or idea; and as in the individual so in the group, life bubbles up from these depths.

Secondly, there is a natural tendency to expand one's self into one's surrounding company or circumstances. Perhaps this is only a phase of what some call the instinct of association. Certainly there is even in sexual love a sort of exaltation of one's self; and all forms of attraction of one man to his fellows seem to allow of a sense of enlargement. This goes to the making of Nationalism when the group claims greatness for itself and for its members. One spreads one's self as it were to the confines of one's nation and some may even credit themselves with the great deeds of their compatriots, although such men normally manage to omit the debit side—the evil deeds of other compatriots. In a sense, however, one's nation is felt to be part of one's self, as is one's family or school or club; and this extension of the self is natural.

Upon such a basis of instinctive tendency, emotions or attitudes the work of politicians and journalists and others produces the actual force which we know as Nationalism in China or Turkey, Italy or Poland. The material may be provided by nature in the dark background of her racial or climatic worshops; and of that material almost anything, but not quite anything, can be made. But for practical purposes much of the psychological mythology of instincts is useless. The material has been worked upon so long and so strangely that we must confine our attention here to the resulting forms.

The forms of Nationalism differ. There is undoubtedly one form at least which would make war inevitable, which is indeed destructive and barbaric. It is that of which Lord Acton was thinking when he foresaw the narrowness of petty states and ignorant peoples; and that form of Nationalism is clearly opposed to any form of internationalism. Let us take an example. Mazzini, as we said above, tried to make an Italy which would not only be herself free but would be an instrument of freedom for all other peoples. He taught that one's country should be one's tool with which to serve humanity. Whether that Italy ever could have existed we cannot say; but certainly a different Italy claimed rights in the great War in the name of her 'Sacro Egoismo'. And now . . .! We need not condemn the artists: but certainly the form of contemporary Italian Nationalism has been partly the work of Mussolini. Now here is interesting group psychology. Clearly Mussolini made no appeal so long as he preached Socialism; but when he worked upon warlike ardour and an earlier Nationalism he was effectual. The material was not susceptible of one form but was easily worked into another form and the artist changed his aim. The effect may have

been attained by methods impossible in England; for indeed they savour of the Italian opera. When the Italian tenor sings that he is dying for love, we know that he is probably thinking of the wine he will have when the opera is over. Stage passions stir audiences; indeed, they may even affect the actor himself! He may begin to believe! I do not say that when Mussolini foretells a sky black with Italy's war-planes or an inevitable war in 1935 he is on the operatic stage; but I have my doubts. The result upon the Nationalism of Italy, however, is undeniable. That sort of Nationalism we shall have to reckon with, when we consider the prospects of any Internationalism; for it is a form of Nationalism which is obstructive to the organization of peace. How stable the emotions are out of which it has been built, how far the material will preserve the form given to it—these are questions for the future to answer. But that it is a Nationalism opposed to any form of Internationalism is asserted by its admirers themselves.

Again, politicians and journalists in the making of Nationalism usually make an appeal to some conception of the group which its members already possess. In the same way when the philosopher or moralist says that you should develop yourself, the result depends upon the conception of yourself which is in your mind at the time. If the true England or the real Poland is to be realized by our policy, we must have some conception of what England or Poland really are. Now we have an example in history of the psychological effect of the gospel of self-development preached to barbaric or primitive men. The great scholars of the Renaissance, rightly correcting medieval asceticism, urged men to develop themselves in all their capacities. But lustful and drunken Princes of the Renaissance thought of themselves as so much sexual impulse

or brutish thirst; and they developed these! Hence after Poggio and Aeneas Silvius we have Pope Alexander VI. Similarly in group psychology the effect of a Nationalist gospel may be to develop only the violent or the trivial or the barbaric. It is right to wish England or Poland to be greater; but what England and what Poland? What is it that is meant by Englishmen when they say England, or by Poles when they say Poland? The answer to such questions is so seldom thought out that the majority think it is obvious. But the England of Englishmen may be, and in fact it is to different circles, a thousand different things. The conceptions we have of our country or of what is best in it or of what makes it what it is, are found in us partly by daily hints and implications of common life and partly by the teaching of history. And history is not, as some historians pretend, a colourless record of facts: it is an artistic selection with a purpose no less powerful if it is, in any individual historian, unconscious. Why are these facts and not others in the history books? The simple-minded historian often answers 'Because they are important'. But that only drives the question deeper. Why are *these* facts important and not others? Clearly the particular facts, selected by the historian out of all the myriad facts of the past, are selected because of some judgment which the historian or his grandmother or his 'set' passes upon the daily experience of his own time. But this judgment of one's own time is a moral criticism: it involves a distinction between the different aspects of contemporary life as known to the historian, his grandmother or his 'set'. In some ways contemporary life appears as a local affair with occasional disturbances due to unaccountable foreigners or sinister subversive forces; and out of such a judgment on contemporary life—which is in fact traditional in most universities and schools—

arises the sort of history which maintains or creates a narrow Nationalism. The conception of England or Poland is thus dependent upon a selection of facts half-consciously aimed at showing how England or Poland came to be in the past what the historian believes England or Poland now is. Thus a commonplace, uncritical or simply obsolete conception of what a country *now* is, may be reinforced by what pretends to be a colourless record but what is really a selection of evidence governed by the very conception which is supposed to be derived from those facts. And one of the most astonishing defects of some historians is their innocence in regard to the world of their own day. Thus, some historians do not seem to have discovered in their own times the nature of Labour Organizations or the internationalization of science, or even the complex finance and commerce which make their own breakfast possible. And if these facts of contemporary life are unnoticed or are regarded as unimportant, no wonder that the historian does not regard the first signs of them in the past as important. Indeed, the innocence of the learned is more obvious than the gullibility of the common man: and sometimes one suspects that the proportion of fools is higher in class-rooms than it is in streets.

Our subject here, however, is not the teaching of history but the making of Nationalism. The point is that in its many forms Nationalism is largely the creation of men's imaginations working upon selected facts; and not only historians work thus. There are some modern doctrinaires who use the language of biology, sociology and psychology to work up a particular form of Nationalism. Just at present indeed these doctrinaires are working up not Nationalism but Racialism. But it is the same game, with the same mad rules —like those of the game of croquet in 'Alice'. You assume

that you are a fine fellow, Nordic or Teutonic; you then look about for head measurements or the colour of hair; and the particular head measurement or hair-colour you possess is readily given an intimate connexion with your own excellence of moral character and intelligence, than which of course nothing can be more obvious—to you! Having already swallowed all the facts in one vast generalization, it is then comparatively easy to believe that the particular group to which you belong—an 'upper' class or a white race or a civilized nation—is far superior to any other. You can be still more 'scientific' if you apply to non-European races the intelligence tests based upon the peculiar performances of a very few Parisian children. Pseudo-science is almost as useful as grandmother's history in creating the particular form of Nationalism which will resist any development of peace in the world.[1]

There are, then, in all the forms of contemporary Nationalism some elements which are natural and inevitable—the results of instinctive tendencies and primitive emotions; and there are other elements which are the results of the imagination, judgment and reasoning of particular individuals. This second group of elements is specially to be noted in the case of Nationalisms which obstruct the contact between peoples, because it is precisely those forms of Nationalism which their creators claim to be natural and inevitable. The last confession the advocate of a Nordic man will make is that he himself is the creator of that astonishing fiction. But the Nordic man should be proud of his ability to believe in his own

[1] The reference to the pseudo-science of Lothrop Stoddard will be clear; but it is to be feared that even Professor McDougall has been too imaginative in his 'Group Mind'. He has been refuted in regard to 'Nordic' man by Professor G. C. Field in the *Hibbert Journal*, January 1923.

creations! Some of the Nationalisms which now obstruct peace, in the same way, are creations of the imagination.

Given these forces at work in the making of Nationalism, what kinds of Nationalism now exist? The evidence is like that for the kinds of ways in which men regard themselves as individuals. Everyone knows that a dwarfish man tends to be bumptious or assertive—lest he may be ignored, that a large fat man tends to be slow and calm, that a thin man tends to be cantankerous. We know also that children whose bodies are undeveloped, if kept at desks learning to write and read—that is to use the very delicate smaller muscles before the larger trunk muscles are strengthened—such children tend to fidget. In the world of politics, 'national' groups are very assertive when they fear to be ignored: small groups feel that they may be passed over: very large groups are slow to move and can hardly be affected from the outside. And there are many new nations which seem to fidget in maintaining admirals and generals when they ought to be depending on nurses and schoolmistresses. Clearly if I gave the names of the Nations of which I am thinking, there might be an 'incident' which would be regrettable. But a lecturer may perhaps leave something to the imagination of his audience. The chief interest is to distinguish the particular form of Nationalism which is to be found, for example, in Italy, England, the United States of America, France, Estonia, Poland and China.

The limitations of our subject here make it useful to distinguish, among all these many different Nationalisms, two chief types. One form of Nationalism is clearly opposed to any form of Internationalism; but another form of Nationalism is the very best ground or source for international intercourse. And since the word Internationalism

has now been introduced, its possible meanings must be made clear. There was a time when Internationalism meant anti-nationalism, and in that sense of the word men advocating an 'international' policy implied that they thought national differences quite unimportant. Thus it was believed by some few men that the time would come when English working-men would forget they were English and remember only that they were working-men. French and English and German would have perhaps no meaning at all and certainly no value for workers who were all opposed to capital-owners. This form of Internationalism has been falsely identified with Socialism, in spite of such great Socialists as Jaurès. It may indeed survive among the Communists in Moscow. But if one is to escape from the evils of Nationalism by the increase of another evil—class-warfare—we are no nearer to peace; and, again, it seems impossible to believe that the natural tendencies in Nationalism, as contrasted with its artificial forms, can ever be eradicated. Another and older form of Internationalism is that of scholars or travellers who feel so much in common with the cultured of other lands that they would set a very low value on the companionship of the village they happen to inhabit. This Internationalism is cosmopolitanism; it is not anti-national but ante-national or pre-national, for it arises before there are any national groups with distinctive cultures of their own. It may possibly survive among a few cultured persons, like ourselves, who are tempted to regard ourselves as 'superior' because we like to travel abroad. For there are diseases of Internationalism as well as of Nationalism. There is, indeed, nothing specially virtuous or lofty or uplifting about Internationalism as such: and the tendency to give one's self airs and to preach 'uplift' to admirals should be resisted. If we who gather together to

consider the dangers of war and the prospects of peace adopt a superior air and imply in our speech or attitude that we are the good people and Nationalists or people who disagree with us are wicked, our policy will be rendered futile by sentimentalism. There is indeed a kind of Internationalism which is fantastic.

But there is an Internationalism—I regret to have to use this obscure word for it—which involves the attitude and policy *of a Nation*. It is an attitude of expectation. With that Internationalism a Nation may understand what it may gain from intercourse with other Nations; it may feel what great gifts it may contribute to the lives of other Nations. The policy which results is co-operation between Nations. That is the Internationalism which is embodied in the League of Nations. So far from abolishing Nations, the League gives them a new status and new functions, each in regard to the others. To belong to such a League is a completion not a correction of Nationalism. But clearly we have now used the word Nationalism in the second of the two senses given to it above. Nationalism in this sense is the ground or source for international co-operation.

That other Nationalism which is opposed to all contact with foreigners is the obstacle against which we have to contend, if we desire to establish peace: but the conclusion is clear—we must oppose it not in the name of a vague Internationalism but in the name and for the sake of that finer Nationalism which all men can be made to share. The evil Nationalism, only too common in the world to-day, implies that what is valuable in our own country can only be preserved by severance from all foreign contacts. We are told by its advocates that our national character is being undermined by foreign pottery and foreign agitators. A

morbid fear of what is strange is worked up into the force behind a Separatist policy; and indeed it is so easy to work upon such fears that I am sometimes tempted to say that I am a Communist. It makes the old ladies jump! They look about to see where I have laid the bombs which, as they know, all good Bolsheviks carry in their pockets. And it is not unkind to make the old ladies jump: a little psychology will indicate that they really enjoy jumping. And whole Nations too may enjoy having their thrill about 'foreign agitators'; for some Nations are like children—and most Nations have their childish moods. You know how a child is half afraid if you pretend to be a lion and roar: the child is half afraid and yet enjoys its fear. In Moscow the nursery is made to jump at the wicked British Capitalist: and in London one jumps at the wicked Russian Bolshevik: and in both nurseries it is part of a game. Old-fashioned Nationalists know the game well.

The serious effect, however, of this obsolete Nationalism is the isolation of the Nation which adopts it. Suppose I believed that I should preserve my individuality best by completely isolating myself from all other men. I should then, no doubt, be unaffected by their beliefs and should not be so disgracefully dependent upon them as I now am for my food and clothing. But in practice this method has been proved to diminish rather than to increase the depth and range of individuality. It is social life and not isolation which makes strong and great individuals. Similarly in the life of groups of men, the group which is isolated from external contacts becomes narrow and trivial in its interests and loses the opportunity of developing some of its own finer characteristics. And yet in spite of this experienced fact there are some who adopt a policy of exclusion and segregation for

their own nation. Clearly a certain type of character is thus developed: and if one prefers that type it is useless to argue that there is any better. Some people prefer local barbarism to any form of civilization.

No doubt, as was noted above, there are natural and good tendencies which make us adhere to the village pump. An affection for its ancient shape and for the local gossip which surrounds it may be the simple basis of the loftiest patriotism; and the village pump is not, therefore, to be despised. But an affection for one's own village pump may be combined with a desire to see other people's villages. The exploratory instinct is not less fundamental in man's mind than the associative or gregarious instinct. The tendency to wander is not a defect. The appetite for what is strange and new, the attraction of the unfamiliar, exists side by side with the love of the familiar; and one does not contradict the other. Indeed, without the love of what is familiar, civilization would never have been stabilized; but without the attraction towards the unfamiliar, civilization would never have arisen. To exclude this second instinctive tendency is to misrepresent humanity itself; and to deprive any group of opportunities for its exercise is to hamper the natural life of that group. The internationalism which arises out of the instinct to explore the unfamiliar is no less natural to man than the love of his village pump.

But if in the development of any group the natural tendency towards the unfamiliar is allowed free play, we have co-operation between groups. Thus a Nationalism which is not one-sided inevitably leads to the Internationalism which is co-operation between Nations. If we work upon the existing admiration of each man for his own group, we shall find that we can transform that admiration from a crude obstruc-

tive Nationalism, into a more civilized and progressive form which is no less Nationalism although it leads to international co-operation. It is a false view of peace which makes it seem to be opposed to patriotism or to loyalty and tradition. The true peace is based upon an enlightened love of one's own country and desire to make it greater as civilized men reckon greatness.

In the education of public opinion therefore our task is to work upon the forces that go to the making of our own Nationalism so as to transform it into a Nationalism which promotes peace in the co-operation of Nations. Existing Nationalism in any group is partly the work of artists in politics or education who have preceded us; but the material can still be worked upon. We can be artists as great as our forefathers were or greater. We can make our own Nations. We can give to the people of our own Nation a new and better conception of what they may be. But clearly this implies that there is no international education. The task of each man is in his own village. The world at peace must be made, not at any international centre, but in the different towns where men speak different languages and inherit different traditions. It is not therefore the love of foreigners which is the first lesson in Internationalism but a new kind of love for our own country. It is not because I like France or Germany that I desire peace, but because I love England. And if I claim to love my own country better than those who would isolate her from her neighbours, it is because I see in England many possibilities still undeveloped which can be developed only in a world at peace.

We underrate our own powers. We do not normally see the great possibilities in ordinary men: and therefore when a great crisis comes we tend to be astonished to find that

simple men can be heroic. But in every man and in every group of men and certainly in every Nation there is an immense store of noble imagination and resolute action which can be brought into play in political life, if we only knew the magic word that will release these forces. Men are held by the black magic of evil traditions: they can be released only by some white magic. The dead hands of the past reach up to hold men back from peace; but there is strength in any generation to make the next step, if that strength can be released from the evil tradition which holds it.

In our dealing with the tendencies, the habits, the old beliefs, which make towards war, we must be skilful. A crude method will frustrate the best purposes. Admirals and generals and all who prepare for the next war need not be reviled: for in fact that would be too simple a treatment. Groups of men and Nations too may need gentler methods. If, for example, one meets a lady who says she is Queen Elizabeth, it is unwise to tell her that she is a liar. It is better to say—'Ah! and how is Raleigh?' It is not cynicism in politics to treat Nations by the same method when they are a little mad. Politeness is at least good policy. I never say that most of the English are slow-witted to any Englishman who might suppose that I meant to include him.

The skilful treatment of existing tendencies is one of the most important tasks of those who work for peace. The ability to argue the case or to draft treaties or to calculate costs is very valuable; but not less valuable and considerably rarer is the ability to influence those deeper underlying tendencies which have been our subject here. Such tendencies are more amenable to laughter than to argument; and in education they are more easily transformed by a tone, a manner, an atmosphere, than by lessons or by moral exhorta-

tion. But here is the use of abnormal psychology; for in the lives of Nations one may find symptoms very like the symptoms of individual abnormality. For example, there are nations which are obviously suffering from an 'inferiority complex'. The symptom is resentment at criticism combined with violent assertion that all criticism is unfounded. Now it is only in an abnormal state that any man despises his critic and at the same time disputes the truth of his criticism: such a man is like one who is always asserting that he is a gentleman—for if there were no doubt about it in his own mind, he would not be so insistent that his claim should be recognized. So among Nations, the more propaganda, the more consciousness of some unacknowledged defect. Again, 'repressed complexes' are common in national life—terrors which are never acknowledged, ambitions never confessed; and such complexes are revealed in political crises. Again, there is 'rationalization' as the psychologists call it—elaborate argument to show why a deed is done when the real ground for the deed is either unknown to the doer or is deliberately kept by him in obscurity. Thus noble sentiments sometimes hide even from the doer the meanness of his real purpose: but it would be a too simple psychology which therefore charged a Nation with hypocrisy. Clearly some hypocrisy exists in international affairs; but it is much commoner to find that a group of men really deceive themselves. In individual life a man will say he has an important engagement —and will really believe that he has—if he wants to avoid talking with a certain other man. So great Nations fight for the liberty of small Nations and small Nations fight for justice for subject races. But the reasons given for policy are often no more than 'rationalizations' to cover blind injustice. In the madness called war rationalization is very frequent, as for

example when to excuse their own savage practices each side explains to itself in 'atrocity' stories that the other side consists of inhuman beasts.

Again, in National life there is 'dissociation' as when in an individual two personalities seem to co-exist. For example, a bellicose group and a group working for peace may co-exist in any Nation: the trouble is that the bellicose group in a crisis may commit the whole Nation. The body politic is still in most cases badly co-ordinated. But suppose in an individual body that the hand were able to commit a murder without the legs or the brain being responsible: that is like the case of bellicose groups in a Nation as yet too formless or too primitive. The cure is re-integration within the Nation itself.

Such instances are enough to indicate that the material to be worked upon in each Nation requires skilful handling: but it should also indicate the immense future possibilities for artists sufficiently skilful. England and France and Russia and the United States require development; and peace is the only means by which a more subtle, more unified, more vigorous national life in each group may arise.

A second conclusion as to our practical policy is this: we must not take the form for the substance and accept any institution or practice as good because it is called international. This has an impolite implication. We have indeed a League of Nations and an International Labour Organization and Secretariats of both of these. Are they international in the sense which I have suggested above we should give to the word? Or are they simply covers for the more obsolete forms of Nationalism, opportunities for each group to grind its own axe more effectually? For co-operation between Nations ought not to mean merely 'honour among thieves':

and to co-operate in avoiding any action whatever is hardly the making of peace. There are large issues involved. The policies of statesmen may not be what they seem to be, but that is not my subject here. A smaller and more definite example of the dangers to which I am referring is to be found in the Secretariats themselves.

It was certainly assumed, when the League and the Labour Office first came into existence, that their Secretariats would be international officers, not acting for the sake of any one Government. There was a great contrast between a Secretariat, none of whom were appointed by separate Governments, none responsible to any one Government, and such Secretariats as that of the Reparations Commission, the larger part of which was sectional, appointed by and responsible to distinct Governments. An attempt was made in League organizations to establish a civil service which should be international in the new sense explained above. That is to say, the members of this civil service were not and could not be *déracinés*: they were not denationalized. The Englishman remained an Englishman and the Frenchman a Frenchman, even at Geneva; but each 'national' was there to contribute to the needs of all Nations, not to see what he could get out of the pool for his own Nation. A certain success has been achieved: and no condemnation of the Secretariats themselves is implied in the criticism now made. But some Governments have done their best to set back the clock, to prevent the growth, even within the League itself, of that new Internationalism without which the League is a mere sham. Some Governments have frankly asserted their intention of controlling members of the Secretariat who have come from their Nations. Other Governments, without making overt claims, tend to use members of the Secretariats as their

special agents or representatives. Thus the old evil of diplomacy, contending interests, may corrode the organization of the League itself; and instead of being a means of co-operation the League may be simply a cover for new 'balances' and pulls and interests. If we are to count how many members of each Secretariat belong to this or that Nation, and not to test the members by personal competence, the League will be simply a common trough for pigs to scramble at. But that a tendency of this sort exists in 1927, the contrast with 1920 makes only too clear. It is referred to here first as an instance of danger which a too simple-minded advocacy of League methods may obscure, and secondly in order that those who believe in the League system may be vigilant. An obsolete and obstructive Nationalism exists even within the League itself. The work of International co-operation has not been made secure by the mere establishment of a League. Indeed co-operation of any sort is difficult to learn, and co-operation between Nations is still a new policy. The task of those who support League methods is to make those methods real: and the danger is not to be overcome at Geneva but in London, Paris, Berlin, Rome, and other capitals. If we come to Geneva to study what the League has done, we should come also to ask pointed questions.

The education of public opinion, therefore, is not simply the creation of a sentiment favourable to the League, not simply a vague 'uplift' about emotional phrases. It is also the formation of a group of persons capable of criticism in the field of International policy—a group which may exercise pressure on Foreign Ministers and Parliaments and even Dictators, so that co-operation between Nations in specific issues may become more effectual. Brave speeches at an annual Assembly are simply a cover for the old games, unless the actual policy

of the Governments, Members of the League, is the practice of co-operation between Nations. Much hard work is still needed to be done by those who have no official status, if the League and the International Labour Organization are to extend their activities. But a beginning has been made. The experience of the last seven years has at least shown that co-operation between Nations is a practical policy, and therefore not mere vague aspiration but actual experience justifies us in our belief that we can, if we are skilful enough, create out of the existing forces in the world Nationalisms which tend towards peace and are the true sources of a new Internationalism.

APPENDIX TO CHAPTER V

The Way to Peace and Prosperity

Asked if he thought that the disturbance of trade and commerce caused by the war was of greater economic importance than the loss of man-power, Sir Arthur Salter, in reply, quoted the following passage from the concluding speech of the President of the Economic Conference:

> 'The eight years of post-war experience have demonstrated the outstanding fact that, except in the actual fields of conflict, the *dislocation* caused by the war was immensely more serious than the actual *destruction*. The main trouble now is neither any material shortage in the resources of nature nor any inadequacy in man's power to exploit them. It is all in one form or another a maladjustment—not an insufficient productive capacity but a series of impediments to the full utilization of that capacity. The main obstacles to economic revival have been the hindrances to the free flow of labour, capital and goods.'

The President, he thought, was referring primarily to the actual destruction of material things. The loss of human life was a different problem, but speaking simply and crudely from an economic point of view, although ten million men in the prime of life had ceased to be producers, they had also ceased to be consumers. The one million men in England who were unemployed represented a bigger economic loss than 1,000,000 men who were neither producing nor consuming. It was, he believed, still true that if one added to the material destruction the purely economic effect of the loss of life during the war, the loss due to *dislocation* resulting from the war was even greater. In his view, the whole material destruction of the war bore a relatively small proportion to the potential producing capacity of the world as a whole with its present technical skill and ability.

Asked how Great Britain with a debt of £7,000,000,000 and an expenditure in pensions of £70,000,000 per annum could be materi-

ally better off, Sir Arthur Salter replied that with regard to the internal debts of the different countries, he did not regard these as representing a deduction from our present national incomes. After all, the internal debt of Great Britain, £7,000,000,000 or so, was merely a legal right on the part of some people to obtain a part of the product of the labour of other people. That might indirectly, by encouraging people to be idle who would otherwise work, reduce production. However, the total production and consumption in England to-day was not less because of that big internal debt. The external debt was different; the debt to America, for example, meant that a certain part of the production in England had to be taken away and consumed in America.

He could not in the least follow his questioner when he suggested that his (Sir Arthur Salter's) argument tended to imply that war was a good thing for national prosperity. He had said that the world as a whole was better off than before the war, not that the countries on which the actual strain of fighting fell heavily were better off. England was rather worse off. In Europe as a whole the position was about the same. It was in other countries, in other continents, that the increased prosperity had been seen which brought the average of the world as a whole up to something higher than it was before the war. The greater prosperity of the world as a whole was in spite of the war, not because of the war. The process of improving organization and increasing technical skill had been going on continuously since the first industrial development, and but for the war there would have been in every country a great increase of prosperity. His main argument, so far from suggesting that war was a good thing, suggested that war was an even more destructive thing than might be thought by measuring material destruction alone, which was very real and very great, because on top of that there was the dislocation and disorganization, which had caused an even greater inroad upon the standard of living and the level of prosperity.

In reply to a question as to the diminution of the capital resources of Europe and as to the relation between the height of tariffs and the problem of peace, and also as to which countries in the world

had the highest tariffs, Sir Arthur Salter agreed that he ought to have made special reference to the shortage of capital. The provision of capital meant that men should be willing to forego a part of the immediate consumption to which their current earnings gave them a right in order to provide fresh plant for future production; and one of the results of the war had been that men were less willing to do this; consequently a lesser proportion of energy was being devoted to making productive plant to increase future production. That had certainly been one of the causes limiting the increase in prosperity. There was a direct relation between that handicap and the present tariff and trade barrier system. In the first place, high and complicated tariffs meant that the average real income of the world as a whole was less, so that the income from which one could save was less. In the second place, tariff barriers prevented the available capital from finding the place where it could get the biggest result.

As to the relation between a country's political policy and attitude to the rest of the world in political affairs, and its attitude in economic policy, that was obviously a difficult question to answer. He would only attempt to answer it by mentioning the countries which in fact had at present the systems which operated as the most complete trade barriers. The four countries which had the highest barriers in the world were Russia, Brazil, the United States, and Spain; and if one thought of those four countries in their political activity, one could see a somewhat curious coincidence.

Replying to a further question, Sir Arthur Salter said that the figures he had quoted for Europe included Russia.

Asked for his comments on the possibility of American opinion regarding the recommendations of the Economic Conference as inapplicable to American conditions—a view taken in connexion with the Bankers' Manifesto—and as to whether the tariffs of the United States would prove a hindrance to the adoption of the recommendations, Sir Arthur Salter said that the resolutions of the Conference, to which the United States representatives assented, were, with a few unimportant exceptions, framed quite generally,

and were not framed as applying to any one particular part of the world alone. It was, of course, true that the United States had an enormous internal market unimpeded by its general trade barriers. Obviously a country was better off if it had complete freedom of exchange over 120 million people in a country exceptionally rich in resources, than it would be with freedom of exchange over a population of, say, ten millions; for similar reasons freedom of exchange over a world-wide market might be expected to result in even greater prosperity. He did not feel able to express an opinion as to the future policy of the United States. As to the effect upon Europe, he said that the payment of debts of Europe to America, whether public or ordinary commercial debts, necessarily meant that Europe must ultimately sell more to America. For a time, one could go on by loan arrangements increasing the debt of Europe to America, but that was not an interminable process, and it was a process which tended to make the actual settlement more difficult. Somehow or other, therefore, if Europe was to pay to America what she owed, she must sell services and goods to a much greater extent than she did at present; and, of course, the higher the tariff imposed by America, the greater was the obstacle to that process going on. If America did change her policy in the direction recommended by the Economic Conference, it would be a great help to the rest of the world to change its policy in the same direction ; but he would not go so far as to say that if America did not change her policy there was no hope of the rest of the countries changing theirs.

In reply to a request for his views on the question of cartels, Sir Arthur Salter said that the Economic Conference had dispelled the illusion entertained by many people that in international industrial cartels we had found a new remedy which was likely to cure all or most of our present economic troubles. The Conference recognized that such cartels might be of use in certain cases under certain conditions. It had pointed out that they could only apply to certain classes of industry, and that in those industries they could, if properly run, secure very considerable advantages so as to benefit all three parties concerned—the industrial in higher profits and larger

output, the wage-earner in higher wages and more stable employment, and the consumer in lower prices. The Conference pointed out, however, the very considerable danger of cartels being used to exploit either two of those three classes for the benefit of the third, or one for the benefit of the other two. It set out certain principles distinguishing the good from the bad cartels, and it concluded with a very important recommendation asking the League of Nations to follow the whole of the cartel movement, its effect upon prices and wages and output and other conditions, and to publish the result. That, he thought, offered an opportunity to the League to play a most influential and useful part in influencing and guiding a movement which, in its present range and extent, was largely a new movement. The League might, if it wisely used the power which the Conference desired to give it, be able to save the rest of the world from many of the rather disastrous mistakes that were made in the earlier stages of the trust movement in America. For a full answer to his question, Sir Arthur referred his questioner to Page 40 of the Final Report of the World Economic Conference. (League document C.E.I. 44 (1).)

Asked what the Economic Conference had done for agriculture, Sir Arthur Salter said the main point brought out by the Conference was that agriculture tended to suffer unjustly from a disparity between industrial and agricultural prices. There was a disequilibrium between the two which meant that the agriculturist was not able to get as much as he used to and ought to in the form of industrial products in exchange for his agriculture. That was due to a number of causes, among the most important of which was the existence of industrial as distinct from agricultural protection. In the world as a whole the protection of agriculture had not increased, whereas the protection of industrial products had increased to a very considerable extent. All that protection meant was that people engaged in the area of trades protected scored at the expense of those outside. The latter were agriculturists; the former industrialists. The Conference also recommended the development and extension of agricultural co-operation and more direct relations

between agricultural co-operative and consumers' co-operative societies. It made certain proposals with regard to agricultural credit, recommended an extension of the campaign against plant and animal diseases, fuller statistical and other forms of inquiry and exchange of information, and made a number of other more detailed technical recommendations.

APPENDIX TO CHAPTER VI

Preparation of the First General Disarmament Conference

Asked what progress had been achieved during the past two years in the making of group treaties whereby nations agreed to apply the Locarno principles and methods, M. de Madariaga said particulars were given in a book published by the League towards the end of 1926 and entitled *Arbitration and Security*. There had of late been many treaties drawn up on the lines of the Locarno agreements. These treaties were of various types: there were arbitration treaties pure and simple, conciliation treaties (of which twelve had been arranged recently), combined arbitration and conciliation treaties, of which five were mentioned in the publication to which he had referred, and treaties of guarantee, of which fifteen were mentioned. In addition there was the group of Locarno treaties, which were the most complete in that arbitration was made compulsory in every case. Several more treaties of the same kind had been concluded since the book he mentioned was published; those between Spain and certain South American and European countries provided for arbitration in every case.

Asked whether private interests engaged in the manufacture of war material were not an obstacle to disarmament, and whether the League might not suggest that Governments should refuse to allow private firms to be interested in the matter, M. de Madariaga said it was evident that a policy of disarmament meant a curtailment of the output of a very important industry, and that therefore private interests would be affected by whatever was done in regard to disarmament. He knew of no case, however, where the organizations representing those private firms has had any influence on the work of disarmament. As to whether the League might take a hand in the matter, that implied that it enjoyed a degree of separate existence which it did not in fact possess. The League was merely, as it were, a club of nations, and what its individual members did

not want to do, their sum total—the League—could not do. If private interests were too strong for any particular Government, it was too much to hope that the League would be stronger than that Government. Such problems as that referred to would ultimately have to be solved by public opinion, which was the only force strong enough to deal with them.

Asked what effect the failure of the Three-Power Naval Disarmament Conference would have on the preparatory work for the Disarmament Conference, M. de Madariaga said he was an incurable optimist: his reply was that all efforts towards disarmament undertaken in the right spirit were bound to be of help. If they succeeded, their success pointed a way to follow; if they failed, a way to avoid. In the case referred to he had been impressed not so much by the failure which resulted as by the great measure of agreement that the three Powers had attained, considering the handicap they were under in tackling a question of such difficulty when the necessary political basis was lacking. On the whole, therefore, he thought the Conference which had just adjourned would be a help rather than a hindrance to the work of the League. Though as a result of what had happened a slightly longer time might be required, it would mean better work, because several avenues had been explored and several conversions made.

Replying to a question as to how far the fear of unemployment in areas connected with industries interested in the manufacture of armaments checked the growth of a right public opinion, M. de Madariaga said disarmament might certainly affect certain localities unfavourably for a time in that respect, but he was convinced the ultimate effects would be good. In the case of the Clyde, for example, since it had been quoted to him; if the British taxpayer were relieved of the immense burden represented by the British Navy, considerable capital would be released every year for productive work which ultimately would be of great benefit to that part of the world. There might, however, be a difficult transition period, and if disarmament were rapid measures for alleviating its immediate ill-effects would have to be considered. A similar problem arose whenever an

industry was considered undesirable and abolished. There seemed, however, no hope that disarmament would be other than very gradual, so that there would be plenty of time for adaptation.

Asked where the distrust to which he had referred could be located, and also why the Treaty of Guarantee was ratified by so few countries and why the Protocol had only been ratified by one, M. de Madariaga replied that so far as the first question was concerned he thought it might be said that in the case of any nation the 'wicked people' were its neighbours. The bigger a nation the more neighbours it had, and therefore the more pessimistic it was. So far as the small number of ratifications of the Treaty of Guarantee and the Protocol was concerned, people did not like to make useless gestures and international leadership counted for a great deal. If it became known that the leading nations looked askance at an international document it would be still-born.

On the question of whether the armed forces possessed by the British Empire and America led to the distrust of these nations, M. de Madariaga said he did not believe there was much mistrust of powerful nations; mistrust arose when the intentions of nations were obscure, and there was not much obscurity about the intentions of Great Britain or America. If there was no mistrust, there was certainly a call for leadership. A time had come when international life could no longer be based on power and isolation, but must be founded on co-operation and a spirit of common interest. The world looked for the leadership of the most powerful nations, thinking they would point the way since they already enjoyed great security, and there was a tendency to put the responsibility on them, perhaps chiefly in case of failure.

Asked what the influence of Russia was on disarmament in Europe, M. de Madariaga replied that he thought Russia would have been represented in the preparatory work but for her difference with Switzerland, and now that that difficulty was overcome he hoped she would collaborate in it. At the moment he could not give an opinion as to what the attitude of Russia would be. Evidently the neighbours of Russia were anxious, as Russia was a very big Power

and none of her neighbours was in a position to defend itself alone against Russian attack, while for geographical reasons their military combination was difficult. The case was one where the necessity for an international understanding appeared most patent.

Asked what value he attached to the view voiced by a distinguished American publicist, Captain Mahan, that the best security for the peace of the world was a strong British fleet, M. de Madariaga said it was a view which might be justified by the experience of many years during which the British fleet had been the predominant factor on the seas, but he wondered how far that state of affairs would be desirable. The responsibility placed on an individual Power would be too great. The world had reached a stage of development where there was a definite sense of a community of nations, just as during the historical development of national units there came a time when a sense of nationhood developed. Under feudalism, the nobles felt that it was their business to keep the peace and not that of the rest of the citizens, and that, therefore, it was they who were to carry the sword, and it was evident that such a position of trust and confidence, which in his opinion the British Navy deserved, would create for Britain a position akin to that of the aristocracy at the beginning of the modern nation. Moreover, since Great Britain had interests everywhere in the world it was too much to expect, even of so fair-minded a nation, that it should always preserve, in every conflict in every part of the world, an attitude of strict impartiality. For these reasons he considered that the idea that the British nation might be, so to speak, the policeman of the world, or rather the knight-errant of the world, could not be substantiated, and that something else must be found.

In reply to a question as to the value of pursuing a policy of declaring certain methods of warfare illegal, from the point of view of final disarmament, M. de Madariaga said that if certain people wished to forbid certain specific forms of warfare, such as chemical, bacteriological or air warfare, he hoped they would not meet at Geneva, because Geneva ought to specialize in abolishing war without epithets. If the League of Nations were to declare chemical

warfare illegal, it would be as if France or Germany were to pass a law laying it down that people should not murder each other with revolvers of more than a certain calibre. The law was that people must not murder. The international law should be no war.

In regard to the possibility of reconciling the American and British points of view on naval matters, M. de Madariaga expressed the view that this involved the crucial political difficulty of disarmament. He thought the only solution was that the nation possessing the force should publicly commit itself, with guarantees, not to use that force for aggressive purposes except for the benefit of the community, and that could only be done by the mechanism of international government and arbitration. The main problem was the transformation of the tendency to force as an instrument of power into a tendency to use the force as an instrument for the conservation of justice.

APPENDIX TO CHAPTER X

World Transit and Communications

In reply to a question as to whether international rivers in Europe were not already free by the Treaties of Berlin and Vienna before the Barcelona Conference. M. Haas replied that they were supposed to be free, but the interpretation given by some of the interested countries to the very difficult text of the Vienna agreement resulted in the non-riparian States experiencing many difficulties, particularly on the Rhine and the Danube. The Berlin Convention was chiefly a reference to that of Vienna, and the latter contained a declaration of principles which created difficulties of interpretation. Prior to the Barcelona Convention, moreover, no method was provided for the settlement of disputes, and that led to great difficulties. When the settlement of disputes was provided for it was possible to have a more supple text, because the parties were obliged to apply it in good faith. The Barcelona Convention made into positive law with positive guarantees principles which had already secured a certain recognition, and also dealt with many details not previously touched upon.

In reply to a question as to whether the question of the Straits between Europe and Asia was dealt with by the League. M. Haas said it was dealt with in the Treaty of Lausanne, which provided for a special Commission for the Straits. That Commission was under the auspices of the League and reported annually to the Council, but it was difficult to say how far the League was really concerned. The duties of the Commission seemed to be chiefly military, but in their annual report they were instructed to give any information considered useful for commerce.

Asked whether, if China raised the question of the Unequal Treaties, which was largely a question of the Yangtse Valley, Article 23 of the Barcelona Convention might not be useful to her in preparing a new convention, M. Haas replied that there would be no

difficulty of procedure in using the machinery of the League to conclude a convention on means of communication in China, if all interested States agreed to such a procedure. The Chinese Government signed the Barcelona Convention on freedom of transit on international waterways and the Geneva Conventions on ports and railways with the intention—communicated in a declaration at the time—not to ratify them until China was put in the same position as other nations. That was not meant as political propaganda, but because the working of the conventions which gave equality to all nations, like the Barcelona and the Geneva Conventions, in conjunction with the special treaties binding China with some nations in some ports would mean increasing extra-territoriality in China instead of diminishing it. China's object was to show that if she got rid of extra-territoriality she would give the guarantee implied by ratifying the Barcelona and Geneva Conventions.

Asked why it had proved so difficult to abolish the visa, and whether the last Passport Conference could be described as a success, M. Haas said that so far as the first point was concerned there were the official reasons and the unofficial ones. A slow but continuous process was going on for the abolition of visas, and among a great number of countries in Europe reciprocal agreements for the suppression of visas had been concluded. With the possible exception of Eastern Europe, it was unlikely that visas would be retained in Europe. The reasons given for their maintenance in certain cases concerned national safety and the prevention of unemployment, but it had also to be remembered that visas had to be paid for.

Asked how far the recommendations made in Mr. Hines's report had been accepted and put into force, M. Haas said the problems dealt with could be classified in various groups. General questions of customs formalities were being studied by the River Commissions or had been brought to the attention of interested States, who had promised to do what they could. In the case of customs questions which could not be removed by the action of one or two States it might be necessary to hold a special conference, because the States concerned did not want to create a precedent which

might be taken as widening the powers of the Danube Commission. The second group of problems concerned technical improvements of the Danube, and there it was a question of finance. There were also recommendations on co-operation between the various shipping companies to solve the problem of internal transport. Co-operation in regard to *cabotage* was envisaged and to a great extent could be achieved.

Asked whether the fact that the Peace Treaty mentioned a number of German rivers as being internationalized was regarded as sufficient, or whether there had been a separate convention for each river or for the group, and whether they were covered by the Barcelona Convention, M. Haas said the position was that the general régime applicable to them was laid down by the Treaties, but at the same time it was said that that régime would be replaced by a general convention to be concluded, which was the Barcelona Convention. The régime of the Barcelona Convention was in general the same as that laid down in the Peace Treaty. Those were the only texts which for the moment governed the Oder and the Niemen, but for the Danube and the Elbe special conventions had been concluded to deal with details. They applied the principles of the Barcelona Convention. With regard to the Rhine the position was somewhat different, though in practice it was the same; it was legally different because there was a very complete convention dealing with the Rhine drawn up in 1868 which the Treaty of Peace maintained in force with some modifications designed to bring it into line with newer ideas of complete equality between nations. The Rhine Commission was trying to draft a new Act of Navigation for the Rhine which would embody the principles contained in the Barcelona Convention, the 1868 Convention, and the Peace Treaty.

Asked whether any change had taken place in the international status of the Thames or the Seine during the last fifteen years, M. Haas said there had been no change. At Barcelona an additional protocol to the convention on international rivers was drawn up which put into force principles of equality in all rivers, whether international or not, without going into all the details necessary in

the case of international rivers. Great Britain has, France has not, signed that protocol, but in practice both gave equality of treatment, except, for France, as regards *cabotage*.

To the question of whether, when a river was declared to be international by a treaty, only the signatories of the treaty were entitled to the benefits of internationalization, M. Haas said that in practice the benefits probably extended to all, because so many existing treaties of commerce gave most-favoured-nation treatment; but so far as the treaties on internationalization themselves were concerned, the position varied. Internationalization under the Peace Treaties applied to all nations. In general conventions like the Barcelona Convention it did not, in the hope of inducing as many nations as possible to become contracting parties ; but the Barcelona Convention expressly provided for better facilities in the text of application than in the general text.

Asked if the Transit Section had yet been asked to take any steps in regard to the regulation of aircraft, M. Haas said that except in the case of special questions it had not. The general problem of air regulation was dealt with in a convention concluded in 1919 outside the League, but which set up a central body which was under the League's authority. Whether it would be necessary to deal with the problem of air navigation or not largely depended on whether that convention was generally ratified. At present it had been ratified chiefly by the Allied Powers. Many problems of air navigation, moreover, were outside its scope.

APPENDIX TO CHAPTER XV

The British Commonwealth and the League

On the question of whether the real strength of the League should not be spiritual rather than material forces, Professor Zimmern said that to conceive of the League simply as an organ of moral force was to forget that its rôle was political and not that of a Church or a Sunday school. There were forces making for conflict in the world which required to be restrained, and what the League supplied was the co-operation of the elements of power in the world, bringing them under the rule of law. The more that was done the less would the policeman have to use his truncheon. Unless one imagined that one could do away altogether with coercion in the world one could not dispense with force; the only question was who was to be behind the force; was it to be arbitrary or the servant of law?

To the question of whether the British Commonwealth of Nations was not in process of outgrowing the imperial tradition based on the economic advantage of supremacy, but was still based to a certain extent on the repression of subject peoples, Professor Zimmern replied that when the Empire grew up nothing like the mandates system was conceivable, and the only question was whether the supremacy of the European over the non-European proples was to be exercised through paternal government or through economic exploitation unchecked by European Governments. If the British Empire had never come into existence, the backward regions of the world would still have been exploited by concession hunters. Some Americans might not like the direct government of backward peoples by the British and other European Governments, but as an Englishman he had an equal prejudice against sham Governments in Central American countries which were really controlled by influences in the United States. Both were remnants of an old system which he hoped was being outgrown.

A questioner having expressed surprise that the sea power of the

British Empire should coincide with the needs of the League, Professor Zimmern said his argument was that if the two greatest Sea Powers of the world were outside the League, the writ of the League would not run, and it would degenerate into a debating society. It was undesirable, of course, that the opinion should get abroad that the League had only one policeman; all the Members of the League were equally bound to co-operate in the protection of their fellow Members, and if the occasion arose, the fleets of other Members of the League would co-operate with the British navy in enforcing the fiat of the League. It would, of course, be dangerous for the League if the navy of a non-Member State were able to defy its writ in any part of the world.

Asked what weight he attached to one of the principal objections felt in the United States to joining the League, namely, the preponderant representation of the British Empire therein, Professor Zimmern said he did not consider that a valid objection, as it arose through a misapprehension. The British Dominions were completely independent of Great Britain, more independent than some non-British countries that could be mentioned. It frequently happened in League meetings that a representative of a Dominion voted against the representative of Great Britain; a frank interchange and difference of opinion of this kind was all to the good.

It being suggested that while on minor matters the various representatives of the Empire might differ, on vital points they would stand together, Professor Zimmern said that in his view the influence of the Dominions in the League would not quite have this effect. Before Great Britain could embark, for instance, on a dangerous adventure of policy, she would have to reckon with the Dominions, and the fact that she would wish to satisfy Dominion opinions would act as a deterrent. That had actually happened in 1922, when the British Government issued a manifesto which was a warning of renewed military operations. Canada did not view the matter in the same light; a new Government came into power in Great Britain, and the military operations did not take place. In such a crisis it was not the common British material interests which would be

decisive, because there were practically no separate material interests common to the British Commonwealth as such apart from the broad interests of the world.

Asked whether the Three-Power Naval Conference might have had different results, so far as Great Britain was concerned, if the United States had been a Member of the League, Professor Zimmern said that if the United States were a Member of the League the Conference would not have been carried on in the spirit actually displayed, which was that of the cutting down of fleets with a view to economy, but with no idea of a common world purpose of which the two countries were servants. If the United States were a Member of the League and bound to regard its navy as an instrument for enforcing international obligations by common action, the problem would have been very different, and the discussions would have been carried on in a wholly different atmosphere.

On the point of whether the evolution which had taken place within the British Empire had not rather been due to the necessity for keeping the Empire together than to more idealistic considerations, Professor Zimmern replied that statesmen, and particularly British statesmen, never acted until a situation arose. It might perhaps be said that the British Government made a virtue of necessity, but it must be remembered that they were merely carrying a little further a process which had been going on over a long period. The Dominions had taken part in the Peace Conference, become Members of the League, signed treaties in their own right and so on. Moreover, other nations had not always acted with so much foresight, and the British Government was entitled to credit for judging the facts rightly.

A questioner having expressed his difficulty in harmonizing the general tone of Professor Zimmern's address with the usual attitude of Irish and Indian students in the United States, Professor Zimmern said that the Republicans in Ireland were living in a world of their own. They were living in the eighteenth century and thought that the difference between a Republic and a Monarchy was important. He thought the best opinion in Ireland took the view that

Ireland was definitely within the British Commonwealth, and that it was the wisest course to develop the Commonwealth along the line that harmonized best with Irish ideals. It was, he believed, true that the great mass of Indian students were dissatisfied with British rule and wanted to get rid of it, but they did not usually suggest a constructive alternative.

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